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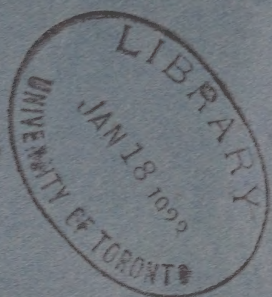
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INTERNATIONAL LABOUR LEGISLATION

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DOCUMENTS



RELATING TO AN

INTERNATIONAL LABOUR CONFERENCE

TO BE HELD IN

WASHINGTON, D.C., IN OCTOBER, 1919

PURSUANT TO THE LABOUR SECTION OF THE TREATY OF PEACE

DEPARTMENT OF LABOUR,
OTTAWA,
JULY, 1919.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1919

19

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PART I

**Circular letter addressed by Committee of the International Labour
Convention to the Governments participating in
the Conference**

PART I

Circular Letter addressed by Committee of the International Labour Convention to the Governments participating in the Conference.

LEAGUE OF NATIONS.

May 10th. 1919.

INTERNATIONAL LABOUR CONFERENCE.

OFFICES OF THE ORGANIZING COMMITTEE,
53 Parliament Street,
LONDON, S.W. 1.

SIR,—The peace conference at its plenary sitting on the 11th April approved the draft convention submitted to it by the Commission on International Labour Legislation. The text of the convention as accepted by the peace conference is enclosed herewith. The convention provides for the institution of an international organization, to which all the members of the League of Nations will belong, and which will consist of an international labour conference and an international labour office, as part of the machinery of the League of Nations. It further provides in article 38* and the annex† that the first meeting of the international labour conference shall take place at Washington in October of this year, and that an international organizing committee should be appointed to assist the government of the United States of America in making the necessary arrangements. At its plenary sitting the peace conference approved the immediate appointment of the organizing committee and authorized it to proceed with its work at once. In accordance with the terms of the convention the committee has been constituted as follows:—

United States of America:

Dr. J. T. Shotwell (provisionally), Professor at Columbia University.

Great Britain:

Sir Malcolm Delevigne, K.C.B., Assistant Under-Secretary of State, Home Office.

France:

Mr. Arthur Fontaine, Councillor of State, Director of Labour.

Italy:

Mr. di Pauma Castiglione, Inspector of Emigration.

Japan:

Dr. M. Oka, formerly Director of Commercial and Industrial Affairs at the Ministry of Agriculture and Commerce.

Belgium:

Mr. E. Mahaim, Professor at Liège University.

Switzerland:

Mr. W. E. Rappard (provisionally), Professor at Geneva University.

Mr. Arthur Fontaine was elected chairman, and Mr. H. B. Butler, C.B., assistant secretary of the Ministry of Labour, was appointed secretary.

* ARTICLE 38, paragraphs 1 and 2.

The first meeting of the Conference shall take place in October, 1919. The place and agenda for this meeting shall be as specified in the Annex annexed hereto.

Arrangements for the convening and the organization of the first meeting of the Conference will be made by the Government designated for the purpose in the said Annex. That Government shall be assisted in the preparation of the documents for submission to the Conference by an International Committee constituted as provided in the said Annex.

† Protocol, paragraphs 1, 2, and 3.

The place of meeting will be Washington.

The Government of the United States of America is requested to convene the Conference.

The International Organizing Committee will consist of seven members, appointed by the United States of America, Great Britain, France, Italy, Japan, Belgium, and Switzerland. The Committee may, if it thinks necessary, invite other members to appoint representatives.

The offices of the committee will for the present be at 53 Parliament street, London, S.W. 1, but will be transferred to the Ministry of Labour, Washington, at the beginning of September, 1919. All communications should be addressed to the secretary at the London office.

The organizing committee now has the honour to transmit a questionnaire in regard to the agenda for the first conference laid down in the annex to the convention* and to bring to the notice of your government certain other points dealt with in the convention, to which their attention is desirable in view of the forthcoming conference at Washington.

Agenda.

In drawing up the questionnaire, the committee have aimed at obtaining the most complete information available in regard to the existing legislation and practice in the different countries in respect of the subjects referred to in the various items of the agenda, and the proposals of the respective governments as to how they should be dealt with by the conference. When this information is received, the committee propose to collate and tabulate the results in a printed statement, and to draw up suggestions for draft conventions or recommendations, based on the information received, for submission to the conference as a basis for discussion. These documents will be communicated to the delegates appointed to take part in the conference through their respective governments.

In view of the short time at the committee's disposal, if the work of collating and circulating the results of their present enquiry is to be completed in time to enable the delegates to study them before departing for Washington, the committee respectfully request that the answers to the questionnaire may be forwarded to them at the earliest possible date, and in any case that they should not reach London later than the 30th June.

In order further to facilitate the work of collating and tabulating the answers, it is also requested that they may, where possible, be accompanied by a translation into either English or French, unless one of these languages is used in the original. In order further to save time, and in the spirit of article 11 of the convention,† it is suggested that the government department entrusted with the collection of the necessary information in each country should be instructed to forward it direct to the offices of the organizing committee.

Preliminary Business.

The organizing committee would also point out that the following items of business relating to the internal procedure of the conference will have to be dealt with by the conference.

1. The appointment of the governing body of the international labour office.
2. The approval of rules of procedure, of which a draft is being prepared by the committee and will be circulated with the documents above mentioned.

* ANNEX.

Agenda:—

1. Application of principle of the 8-hours day or of the 48-hours week.
2. Question of preventing or providing against unemployment.
3. Women's Unemployment:—
 - (a.) Before and after child-birth, including the question of maternity benefit.
 - (b.) During the night.
 - (c.) In unhealthy processes.
4. Employment of children:—
 - (a.) Minimum age of employment.
 - (b.) During the night.
 - (c.) In unhealthy processes.
5. Extension and application of the International Convention adopted at Berne in 1906 on the prohibition of night work for women employed in industry, and the prohibition of the use of white phosphorus in the manufacture of matches.

† ARTICLE 11.

The Government Departments of any of the Members which deal with questions of industry and employment may communicate directly with the Director through the Representative of their Government on the Governing Body of the International Labour Office, or failing any such Representative, through such other qualified official as the Government may nominate for the purpose.

Appointment of Delegates and Advisers.

As regards the points in the Convention itself which require attention in view of the forthcoming conference, the Committee desire respectfully to call attention of your Government to the following provisions of the Convention:—

Article 3 provides that the Conference “shall be composed of four Representatives of each of the Members, of whom two shall be Government delegates and the two others shall be delegates representing respectively the employers and the workpeople of each of the members.

“Each Delegate may be accompanied by advisers, who shall not exceed two in number for each item on the agenda of the meeting. When questions specially affecting women are to be considered by the Conference, one at least of the advisers should be a woman.

“The Members undertake to nominate non-Government delegates and advisers chosen in agreement with the industrial organizations, if such organizations exist, which are most representative of employers or workpeople, as the case may be, in their respective countries.

“Advisers shall not speak except on a request made by the delegate whom they accompany and by the special authorization of the President of the Conference, and may not vote.

“A delegate may, by notice in writing addressed to the President, appoint one of his advisers to act as his deputy, and the adviser, while so acting, shall be allowed to speak and vote.

“The names of the delegates and their advisers will be communicated to the International Labour Office by the Government of each of the members.

“The credentials of the Delegates and their advisers shall be subject to scrutiny by the Conference, which may, by two-thirds of the votes cast by the Delegates present, refuse to admit any delegate or adviser whom it deems not to have been nominated in accordance with this article.”

Your Government will accordingly in due course be requested by the Government of the United States of America to forward through its Foreign Office the names of the delegates who will represent it, together with those of the delegates representing its employers and workpeople, and at the same time to forward the names of the advisers who will accompany the delegates. The committee would be much obliged if the names of the delegates and advisers could be communicated to them at the same time.

Each delegate may be accompanied by two advisers for each item on the agenda of the meeting, but where it is feasible advisers might well be appointed who can deal with more than one item. It should also be pointed out that as several of the questions on the agenda affect women, one at least of the advisers appointed should be a woman.

The last paragraph of article 3 provides that the credentials of the delegates and their advisers shall be subject to scrutiny by the conference. It is accordingly requested that the nomination of each delegate and adviser may be accompanied by a statement giving his qualifications, and also giving the names of the organizations in agreement with whom the delegates and advisers of employers or workpeople were chosen.

The committee respectfully suggest that it is of great importance for the success of the conference that steps should be taken by each of the Governments to make widely known among associations of employers and workers the nature and objects of the international organization, and to secure their interest and co-operation in the matter.

Expenses.

Under article 13 each Government participating in the conference will pay the travelling and subsistence expenses of its four delegates and their advisers. Under article 38* it is provided that all other expenses connected with the first meeting will

* ARTICLE 38, paragraph 3.

The expenses of the first meeting and of all subsequent meetings held before the League of Nations has been able to establish a general fund, other than the expenses of Delegates and their advisers, will be borne by the Members in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

be borne by the members of the League of Nations in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union. The United States Government, having agreed to undertake the convening of the Conference, will make the necessary arrangements, and will in due course furnish the necessary information in regard to them to the members.

We have to add that this letter is being addressed to the Governments of all the original members of the League as set out in the annex to the covenant.

We have the honour to be, Sir, with great truth and respect,

Your obedient servants,

ARTHUR FONTAINE,
Chairman,

H. B. BUTLER,
Secretary.

The Acting Prime Minister of Canada,
Ottawa, Canada.

PART II

Labour Convention and General Principles as incorporated in the Treaty of Peace (Part XIII, Sections I and II, Article 387-427) between the Allied and Associated Powers and Germany, signed at Versailles, June 28th, 1919.

PART II

LABOUR CONVENTION AND GENERAL PRINCIPLES

[As incorporated in the Treaty of Peace (Part XIII, Sections I and II, Article 387-427) between the Allied and Associated Powers and Germany, signed at Versailles, June 28th, 1919.]

SECTION I—ORGANIZATION OF LABOUR.

(A CONVENTION CREATING A PERMANENT ORGANIZATION FOR THE PROMOTION OF THE INTERNATIONAL REGULATION OF LABOUR CONDITIONS).*

WHEREAS the League of Nations has for its object the establishment of universal peace, and such a peace can be established only if it is based upon social justice;

And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required: as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of freedom of association, the organization of vocational and technical education and other measures;

Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries;

The High Contracting Parties, moved by sentiments of justice and humanity, as well as by the desire to secure the permanent peace of the world, agree to the following:—

CHAPTER I.—*Organization.*

ARTICLE 1.

A permanent organization is hereby established for the promotion of the objects set forth in the Preamble.

The original Members of the League of Nations shall be the original Members of this organization, and hereafter membership of the League of Nations shall carry with it membership of the said organization.

ARTICLE 2.

The permanent organization shall consist of (i) a General Conference of Representatives of the Members and (ii) an International Labour Office controlled by the Governing Body described in Article 7.

ARTICLE 3.

The meetings of the General Conference of Representatives of the Members shall be held from time to time as occasion may require, and at least once in every year. It shall be composed of four Representatives of each of the Mem-

*NOTE.—In this print the Articles have been numbered, not as in the Treaty of Peace, but as in the Convention submitted by the Commission on International Labour Legislation and adopted by the Preliminary Peace Conference at Paris. In the Treaty of Peace these articles are numbered from 387 to 427 inclusive.

bers, of whom two shall be Government Delegates and the two others shall be Delegates representing respectively the employers and the workpeople of each of the Members.

Each Delegate may be accompanied by advisers, who shall not exceed two in number for each item on the agenda of the meeting. When questions specially affecting women are to be considered by the Conference, one at least of the advisers should be a woman.

The Members undertake to nominate non-Government Delegates and advisers chosen in agreement with the industrial organizations, if such organizations exist, which are most representative of employers or workpeople, as the case may be, in their respective countries.

Advisers shall not speak except on a request made by the Delegate whom they accompany and by the special authorization of the President of the Conference, and may not vote.

A Delegate may by notice in writing addressed to the President appoint one of his advisers to act as his deputy, and the adviser, while so acting, shall be allowed to speak and vote.

The names of the Delegates and their advisers will be communicated to the International Labour Office by the Government of each of the Members.

The credentials of Delegates and their advisers shall be subject to scrutiny by the Conference, which may, by two-thirds of the votes cast by the Delegates present, refuse to admit any Delegate or adviser whom it deems not to have been nominated in accordance with this Article.

ARTICLE 4.

Every Delegate shall be entitled to vote individually on all matters which are taken into consideration by the Conference.

If one of the Members fails to nominate one of the non-Government Delegates whom it is entitled to nominate, the other non-Government Delegate shall be allowed to sit and speak at the Conference, but not to vote.

If in accordance with Article 3 the Conference refuses admission to a Delegate of one of the Members, the provisions of the present Article shall apply as if that Delegate had not been nominated.

ARTICLE 5.

The meetings of the Conference shall be held at the seat of the League of Nations, or at such other place as may be decided by the Conference at a previous meeting by two-thirds of the votes cast by the Delegates present.

ARTICLE 6.

The International Labour Office shall be established at the seat of the League of Nations as part of the organization of the League.

ARTICLE 7.

The International Labour Office shall be under the control of a Governing Body consisting of 24 persons, appointed in accordance with the following provisions:

The Governing Body of the International Labour Office shall be constituted as follows:—

Twelve persons representing the Governments,

Six persons elected by the Delegates to the Conference representing the employers,

Six persons elected by the Delegates to the Conference representing the workers.

Of the 12 persons representing the Governments eight shall be nominated by the Members which are of the chief industrial importance, and four shall be nominated by the Members selected for the purpose by the Government Delegates to the Conference, excluding the Delegates of the eight Members mentioned above.

Any question as to which are the Members of the chief industrial importance shall be decided by the Council of the League of Nations.

The period of office of the members of the Governing Body will be three years. The method of filling vacancies and other similar questions may be determined by the Governing Body subject to the approval of the Conference.

The Governing Body shall, from time to time, elect one of its members to act as its Chairman, shall regulate its own procedure and shall fix its own times of meeting. A special meeting shall be held if a written request to that effect is made by at least 10 members of the Governing Body.

ARTICLE 8.

There shall be a Director of the International Labour Office, who shall be appointed by the Governing Body, and, subject to the instructions of the Governing Body, shall be responsible for the efficient conduct of the International Labour Office and for such other duties as may be assigned to him.

The Director or his deputy shall attend all meetings of the Governing Body.

ARTICLE 9.

The staff of the International Labour Office shall be appointed by the Director, who shall, so far as is possible with due regard to the efficiency of the work of the Office, select persons of different nationalities. A certain number of these persons shall be women.

ARTICLE 10.

The functions of the International Labour Office shall include the collection and distribution of information on all subjects relating to the international adjustment of conditions of industrial life and labour, and particularly the examination of subjects which it is proposed to bring before the Conference with a view to the conclusion of international conventions, and the conduct of such special investigations as may be ordered by the Conference.

It will prepare the agenda for the meetings of the Conference.

It will carry out the duties required of it by the provisions of this Part of the present Treaty in connection with international disputes.

It will edit and publish in French and English, and in such other languages as the Governing Body may think desirable, a periodical paper dealing with problems of industry and employment of international interest.

Generally, in addition to the functions set out in this article, it shall have such other powers and duties as may be assigned to it by the Conference.

ARTICLE 11.

The Government Departments of any of the Members which deal with questions of industry and employment may communicate directly with the Director through the Representative of their Government on the Governing Body of the International Labour Office, or failing any such Representative, through such other qualified official as the Government may nominate for the purpose.

ARTICLE 12.

The International Labour Office shall be entitled to the assistance of the Secretary-General of the League of Nations in any matter in which it can be given.

ARTICLE 13.

Each of the Members will pay the travelling and subsistence expenses of its Delegates and their advisers and of its Representatives attending the meetings of the Conference or Governing Body, as the case may be.

All the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League.

The Director shall be responsible to the Secretary-General of the League for the proper expenditure of all moneys paid to him in pursuance of this Article.

CHAPTER II.—*Procedure.*

ARTICLE 14.

The agenda for all meetings of the Conference will be settled by the Governing Body, who shall consider any suggestion as to the agenda that may be made by the Government of any of the Members or by any representative organization recognized for the purpose of Article 3.

ARTICLE 15.

The Director shall act as the Secretary of the Conference, and shall transmit the agenda so as to reach the Members four months before the meeting of the Conference, and, through them, the non-Government Delegates when appointed.

ARTICLE 16.

Any of the Governments of the Members may formally object to the inclusion of any item or items in the agenda. The grounds for such objection shall be set forth in a reasoned statement addressed to the Director, who shall circulate it to all the Members of the Permanent Organization.

Items to which such objection has been made shall not, however, be excluded from the agenda, if at the Conference a majority of two-thirds of the votes cast by the Delegates present is in favour of considering them.

If the Conference decides (otherwise than under the preceding paragraph) by two-thirds of the votes cast by the Delegates present that any subject shall be considered by the Conference, that subject shall be included in the agenda for the following meeting.

ARTICLE 17.

The Conference shall regulate its own procedure, shall elect its own President, and may appoint committees to consider and report on any matter.

Except as otherwise expressly provided in this Part of the present Treaty, all matters shall be decided by a simple majority of the votes cast by the Delegates present.

The voting is void unless the total number of votes cast is equal to half the number of the Delegates attending the Conference.

ARTICLE 18.

The Conference may add to any committees which it appoints technical experts, who shall be assessors without power to vote.

ARTICLE 19.

When the Conference has decided on the adoption of proposals with regard to an item in the agenda, it will rest with the Conference to determine whether these proposals should take the form: (a) of a recommendation to be submitted to the Members for consideration with a view to effect being given to it by national legislation or otherwise, or (b) of a draft international convention for ratification by the Members.

In either case a majority of two-thirds of the votes cast by the Delegates present shall be necessary on the final vote for the adoption of the recommendation or draft convention, as the case may be, by the Conference.

In framing any recommendation or draft convention of general application the Conference shall have due regard to those countries in which climatic conditions, the imperfect development of industrial organization or other special circumstances, make the industrial conditions substantially different and shall suggest the modifications, if any, which it considers may be required to meet the case of such countries.

A copy of the recommendation or draft convention shall be authenticated by the signature of the President of the Conference and of the Director and shall be deposited with the Secretary-General of the League of Nations. The Secretary-General will communicate a certified copy of the recommendation or draft convention to each of the Members.

Each of the Members undertakes that it will, within the period of one year at most from the closing of the session of the Conference, or if it is impossible owing to exceptional circumstances to do so within the period of one year, then at the earliest practicable moment and in no case later than 18 months from the closing of the session of the Conference, bring the recommendation or draft convention before the authority or authorities within whose competence the matter lies for the enactment of legislation or other action.

In the case of a recommendation, the Members will inform the Secretary-General of the action taken.

In the case of a draft convention, the Member will, if it obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification of the convention to the Secretary-General and will take such action as may be necessary to make effective the provisions of such convention.

If on a recommendation no legislative or other action is taken, to make a recommendation effective or if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member.

In the case of a federal State, the power of which to enter into conventions on labour matters is subject to limitations, it shall be in the discretion of that Government to treat a draft convention to which such limitations apply as a recommendation only, and the provisions of this article with respect to recommendations shall apply in such case.

The above article shall be interpreted in accordance with the following principle:—

In no case shall any Member be asked or required, as a result of the adoption of any recommendation or draft convention by the Conference, to lessen the protection afforded by its existing legislation to the workers concerned.

ARTICLE 20.

Any convention so ratified shall be registered by the Secretary-General of the League of Nations, but shall only be binding upon the Members which ratify it.

ARTICLE 21.

If any convention coming before the Conference for final consideration fails to secure the support of two-thirds of the votes cast by the Delegates present, it shall nevertheless be within the right of any of the Members of the Permanent Organization to agree to such convention among themselves.

Any convention so agreed to shall be communicated by the Governments concerned to the Secretary-General of the League of Nations, who shall register it.

ARTICLE 22.

Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request. The Director shall lay a summary of these reports before the next meeting of the Conference.

ARTICLE 23.

In the event of any representation being made to the International Labour Office by an industrial association of employers or of workers that any of the Members has failed to secure in any respect the effective observance within its jurisdiction of any convention to which it is a party, the Governing Body may communicate this representation to the Government against which it is made and may invite that Government to make such statement on the subject as it may think fit.

ARTICLE 24.

If no statement is received within a reasonable time from the Government in question, or if the statement when received is not deemed to be satisfactory by the Governing Body, the latter shall have the right to publish the representation and the statement, if any, made in reply to it.

ARTICLE 25.

Any of the Members shall have the right to file a complaint with the International Labour Office if it is not satisfied that any other Member is securing the effective observance of any convention which both have ratified in accordance with the foregoing articles.

The Governing Body may, if it thinks fit, before referring such a complaint to a Commission of Enquiry, as hereinafter provided for, communicate with the Government in question in the manner described in Article 23.

If the Governing Body does not think it necessary to communicate the complaint to the Government in question, or if, when they have made such communication, no statement in reply has been received within a reasonable time which the Governing Body considers to be satisfactory, the Governing Body may apply for the appointment of a Commission of Enquiry to consider the complaint and to report thereon.

The Governing Body may adopt the same procedure either of its own motion or on receipt of a complaint from a Delegate to the Conference.

When any matter arising out of Articles 24 or 25 is being considered by the Governing Body, the Government in question shall, if not already represented thereon, be entitled to send a representative to take part in the proceedings of the Governing Body while the matter is under consideration. Adequate notice of the date on which the matter will be considered shall be given to the Government in question.

ARTICLE 26.

The Commission of Enquiry shall be constituted in accordance with the following provisions:—

Each of the Members agrees to nominate within six months of the date on which the present Treaty comes into force three persons of industrial experience, of whom one shall be a representative of employers, one a representative of workers, and one a person of independent standing, who shall together form a panel from which the members of the Commission of Enquiry shall be drawn.

The qualifications of the persons so nominated shall be subject to scrutiny by the Governing Body, which may by two-thirds of the votes cast by the representatives present refuse to accept the nomination of any person whose qualifications do not in its opinion comply with the requirements of the present article.

Upon the application of the Governing Body, the Secretary-General of the League of Nations shall nominate three persons, one from each section of this panel, to constitute the Commission of Enquiry, and shall designate one of them as the President of the Commission. None of these three persons shall be a person nominated to the panel by any Member directly concerned in the complaint.

ARTICLE 27.

The Members agree that, in the event of the reference of a complaint to a Commission of Enquiry under Article 25, they will each, whether directly concerned in the complaint or not, place at the disposal of the Commission all the information in their possession which bears upon the subject-matter of the complaint.

ARTICLE 28.

When the Commission of Enquiry has fully considered the complaint, it shall prepare a report embodying its findings on all questions of fact relevant to determining the issue between the parties and containing such recommendations as it may think proper as to the steps which should be taken to meet the complaint and the time within which they should be taken.

It shall also indicate in this report the measures, if any, of an economic character against a defaulting Government which it considers to be appropriate and which it considers other Governments would be justified in adopting.

ARTICLE 29.

The Secretary-General of the League of Nations shall communicate the report of the Commission of Enquiry to each of the Governments concerned in the complaint, and shall cause it to be published.

Each of these Governments shall within one month inform the Secretary-General of the League of Nations whether or not it accepts the recommendations contained in the report of the Commission; and if not, whether it proposes to refer the complaint to the Permanent Court of International Justice of the League of Nations.

ARTICLE 30.

In the event of any Member failing to take the action required by Article 19, with regard to a recommendation or draft Convention, any other Member shall be entitled to refer the matter to the Permanent Court of International Justice.

ARTICLE 31.

The decision of the Permanent Court of International Justice in regard to a complaint or matter which has been referred to it in pursuance of Article 29 or Article 30 shall be final.

ARTICLE 32.

The Permanent Court of International Justice may affirm, vary, or reverse any of the findings or recommendations of the Commission of Enquiry, if any, and shall in its decision indicate the measures, if any, of an economic character which it considers to be appropriate, and which other Governments would be justified in adopting against a defaulting Government.

ARTICLE 33.

In the event of any Member failing to carry out within the time specified the recommendations, if any, contained in the report of the Commission of Enquiry, or in the decision of the Permanent Court of International Justice, as the case may be, any other Member may take against that Member the measures of an economic character indicated in the report of the Commission or in the decision of the Court as appropriate to the case.

ARTICLE 34.

The defaulting Government may at any time inform the Governing Body that it has taken the steps necessary to comply with the recommendations of the Commission of Enquiry or with those in the decision of the Permanent Court of International Justice as the case may be, and may request it to apply to the Secretary-General of the League to constitute a Commission of Enquiry to verify its contention. In this case the provisions of Articles 26, 27, 28, 29, 31, and 32 shall apply, and if the report of the Commission of Enquiry or the decision of the Permanent Court of International Justice is in favour of the defaulting Government, the other Governments shall forthwith discontinue the measures of an economic character that they have taken against the defaulting Government.

CHAPTER III.—General.

ARTICLE 35.

The Members engage to apply conventions which they have ratified in accordance with the provisions of this Part of the present Treaty to their colonies, protectorates, and possessions, which are not fully self-governing:

1. Except where owing to the local conditions the convention is inapplicable, or
2. Subject to such modifications as may be necessary to adapt the convention to local conditions.

And each of the Members shall notify to the International Labour Office the action taken in respect of each of its colonies, protectorates, and possessions which are not fully self-governing.

ARTICLE 36.

Amendments to this Part of the present Treaty which are adopted by the Conference by a majority of two-thirds of the votes cast by the Delegates present shall take effect when ratified by the States whose representatives compose the Council of the League of Nations and by three-fourths of the Members.

ARTICLE 37.

Any question or dispute relating to the interpretation of this Part of the present Treaty or of any subsequent Convention concluded by the Members in pursuance of the provisions of this Part of the present Treaty shall be referred for decision to the Permanent Court of International Justice.

CHAPTER IV.—*Transitory Provisions.*

ARTICLE 38.

The first meeting of the Conference shall take place in October, 1919. The place and agenda for this meeting shall be as specified in the Annex hereto.

Arrangements for the convening and the organization of the first meeting of the Conference will be made by the Government designated for the purpose in the said Annex. That Government shall be assisted in the preparation of the documents for submission to the Conference by an International Committee constituted as provided in the said Annex.

The expenses of the first meeting and of all subsequent meetings held before the League of Nations has been able to establish a general fund, other than the expenses of Delegates and their advisers, will be borne by the Members in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

ARTICLE 39.

Until the League of Nations has been constituted all communications which under the provisions of the foregoing articles should be addressed to the Secretary-General of the League will be preserved by the Director of the International Labour Office, who will transmit them to the Secretary-General of the League.

ARTICLE 40.

Pending the creation of a Permanent Court of International Justice, disputes which in accordance with this Part of the present Treaty would be submitted to it for decision will be referred to a tribunal of three persons appointed by the Council of the League of Nations.

ANNEX.

First meeting of Annual Labour Conference, 1919.

The place of meeting will be Washington.

The Government of the United States of America is requested to convene the Conference.

The International Organizing Committee will consist of seven members, appointed by the United States of America, Great Britain, France, Italy, Japan, Belgium and Switzerland. The Committee may, if it thinks necessary, invite other Members to appoint representatives.

Agenda—

1. Application of principle of the 8-hours day or of the 48-hours week.
2. Question of preventing or providing against unemployment.
3. Women's employment—
 - (a.) Before and after child-birth, including the question of maternity benefit.
 - (b.) During the night.
 - (c.) In unhealthy processes.
4. Employment of children—
 - (a.) Minimum age of employment.
 - (b.) During the night.
 - (c.) In unhealthy processes.
5. Extension and application of the International Conventions adopted at Berne in 1906 on the prohibition of night work for women employed in industry and the prohibition of the use of white phosphorus in the manufacture of matches.

SECTION II.—GENERAL PRINCIPLES.

The High Contracting Parties, recognizing that the well-being, physical, moral and intellectual, of industrial wage-earners is of supreme international importance, have framed, in order to further this great end, the permanent machinery provided for in Section I and associated with that of the League of Nations.

They recognize that differences of climate, habits and customs, of economic opportunity and industrial tradition, make strict uniformity in the conditions of labour difficult of immediate attainment. But, holding as they do, that labour should not be regarded merely as an article of commerce, they think that there are methods and principles for regulating labour conditions which all industrial communities should endeavour to apply, so far as their special circumstances will permit.

Among these methods and principles, the following seem to the High Contracting Parties to be of special and urgent importance:—

First.—The guiding principle above enunciated that labour should not be regarded merely as a commodity or article of commerce.

Second.—The right of association for all lawful purposes by the employed as well as by the employers.

Third.—The payment to the employed of a wage adequate to maintain a reasonable standard of life as this is understood in their time and country.

Fourth.—The adoption of an eight hours day or a forty-eight hours week as the standard to be aimed at where it has not already been attained.

Fifth.—The adoption of a weekly rest of at least twenty-four hours, which should include Sunday wherever practicable.

Sixth.—The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development.

Seventh.—The principle that men and women should receive equal remuneration for work of equal value.

Eighth.—The standard set by law in each country with respect to the conditions of labour should have due regard to the equitable economic treatment of all workers lawfully resident therein.

Ninth.—Each State should make provision for a system of inspection in which women should take part, in order to ensure the enforcement of the laws and regulations for the protection of the employed.

Without claiming that these methods and principles are either complete or final the High Contracting Parties are of opinion that they are well fitted to guide the policy of the League of Nations; and that, if adopted by the industrial communities who are members of the League, and safeguarded in practice by an adequate system of such inspection, they will confer lasting benefits upon the wage-earners of the world.

PART III

INTERNATIONAL LABOUR CONFERENCE, OCTOBER, 1919.

Terms of the Questionnaire submitted to each of the Governments participating in the Conference and of the Replies made thereto on behalf of the Government of Canada respecting various items of the Proposed Agenda of the International Labour Conference, as follows :—

Item 1. Application of the Principle of the Eight Hours' Day or 48 Hours' Week.

Item 2. Question of Preventing or Providing against Unemployment.

Item 3. Women's Employment.

Item 4. Employment of Children.

Item 5. Extension and Application of the International Convention adopted at Berne in 1906 for the Prohibition of the Use of White Phosphorus in the Manufacture of Matches.

Note.

The following notes were prefixed to Items 1, 2, 3 and 4 of Questionnaire. Note 1 was prefixed to Item 5 of the Questionnaire.

Note 1.—The Government is asked, if possible, to give its answers to the questions in French and English, and also to supply a translation in one of those languages of all essential documents.

Note 2.—For Federal States the answer should be given not only for Central Government, but also for the principal Local Governments which have legislative authority in labour matters.

PART III

INTERNATIONAL LABOUR CONFERENCE, OCTOBER, 1919.

Terms of the Questionnaire submitted to each of the Governments participating in the Conference and of the Replies made thereto on behalf of the Government of Canada respecting various items of the Proposed Agenda of the International Labour Conference, as follows:—

- Item 1. Application of the Principle of the Eight Hours' Day or 48 Hours' Week.
- Item 2. Question of Preventing or Providing against Unemployment.
- Item 3. Women's Employment.
- Item 4. Employment of Children.
- Item 5. Extension and Application of the International Convention adopted at Berne in 1906 for the Prohibition of the Use of White Phosphorus in the Manufacture of Matches.

Item 1 of the Agenda.

APPLICATION OF THE PRINCIPLE OF THE EIGHT HOURS' DAY OR FORTY-EIGHT HOURS' WEEK.

I.—PRESENT LAW AND PRACTICE.

1. (a) In what industries* is the limit of eight hours a day or 48 hours a week already enforced by law or administrative order?

(b) Please state the extent of the application of the laws or orders in each industry, *i.e.*, whether they apply to all workers or only to certain classes, and, in the latter case, to which classes.

(c) Please state whether the limit of eight hours a day or 48 hours a week is allowed to be exceeded in certain circumstances and under certain conditions, and if so, in what circumstances and under what conditions.

(d) Please attach the text of any laws or administrative orders.

2. (a) In what other industries is the limit in fact observed without legal obligation, whether under general agreement between the employers and the workers in the industry or by custom?

(b) Please state the extent of the application of the agreement or custom in each industry, *i.e.*, whether it applies to all workers or only to certain classes, and, in the latter case, to which classes.

(c) Whether the limit of eight hours a day or 48 hours a week is allowed to be exceeded in certain circumstances and under certain conditions, and, if so, in what circumstances and under what conditions.

(d) Please attach a summary of the chief provisions of any general agreements.

II.—PROPOSALS FOR LEGISLATION UNDER CONSIDERATION AT PRESENT TIME.

3. It is asked that full particulars of any proposals for legislation which have been introduced by the Government in the legislature may be furnished, with the text of the Bill or Bills.

III. OBSERVATIONS.

4. (a) Is the Government prepared to adopt the limit of eight hours a day exclusive of "rest time"?

(b) Is the Government prepared to adopt the limit of 48 hours a week exclusive of "rest time"?

(c) How should "rest time" be defined?

5. (a) Should the actual hours of work for each day be fixed in advance? If so, should they be fixed—

*The term "industry" should be interpreted in its general use and as including transport.

- (i) By the employers, or
 - (ii) By agreement between employers and trade unions or
 - (iii) By administrative order?
- (b) If the actual hours of work are not fixed in advance, how is the limit of eight hours a day or 48 hours a week to be enforced?
6. (a) Will it be necessary to except from the limit of eight hours a day, if proposed to be adopted—
- (i) Any industries.
 - (ii) Branches of industry.
 - (iii) Particular classes of workers?
- (b) What other limit is proposed for adoption in each case?
- (c) What are the reasons in each case which make the exception necessary?
7. (a) Will it be necessary to except from the limit of 48 hours, if proposed to be adopted—
- (i) Any industries.
 - (ii) Branches of industry.
 - (iii) Particular classes of workers?
- (b) What other limit is proposed for adoption in each case?
- (c) What are the reasons in each case which make the exception necessary?
8. (a) Will it be necessary to allow supplementary hours (overtime) in excess of the limit for seasonal industries, for exceptional circumstances, in case of accidents, or otherwise? It is asked that as full particulars as possible may be given.
- (b) What limits will it be possible to impose on such supplementary hours?
- (c) Will a compensatory reduction of hours be provided at other times?
9. Will it be necessary to allow any "delays" before the limit of hours is applied?
- (a) Generally.
 - (b) For particular industries.
 - (c) Particular districts.
- The dates should be specified in each case.

NOTE.—In the exceptional case of the countries indicated in article 19, paragraph 3, of the Convention establishing the International Labour Conference, an equivalent limitation of the hours of work suitable in the special circumstances should be indicated, and the basis on which it is calculated explained. The replies to the above questionnaire should be given on the basis of the equivalent proposed.

REPLIES TO QUESTIONS CONTAINED IN ITEM 1 OF THE AGENDA.

ITEM 1.—APPLICATION OF THE PRINCIPLE OF THE EIGHT HOURS' DAY OR 48 HOURS' WEEK.

I. PRESENT LAW AND PRACTICE.

(Question) 1. (a) In what industries, including transport, is the limit of eight hours a day or forty-eight hours a week already enforced by law or administrative order?

(Answer) In the mining industry the limit of eight hours a day or forty-eight hours a week is already enforced by law in Alberta, British Columbia, Ontario, Quebec and the Yukon Territory.

In the manufacturing industry the limit of eight hours a day or forty-eight hours a week is already enforced by law in British Columbia and Nova Scotia, and by administrative orders in the province of Manitoba.

In the mercantile industry the limit of eight hours a day or forty-eight hours a week is already enforced by law in the province of Nova Scotia and by law and administrative orders in the province of Manitoba.

On public works the limit of eight hours a day or forty-eight hours a week is already enforced by law in the Yukon Territory and by administrative order in the province of Manitoba.

In restaurants the limit of forty-eight hours a week is already enforced by administrative order in the province of Manitoba.

(Question) 1. (b) State the extent of the application of the laws or orders in each industry, i.e., whether they apply to all workers or only to certain classes, and, in the latter case, to which classes.

(Answer) In the *mining* industry, the laws respecting an eight-hour day or forty-eight hour week apply as follows in the different provinces:

In Alberta, to all underground mine workers.

In British Columbia, to all workers above or below ground in coal and metal-liferous mines, and to employees at, in or about coke-ovens, smelters, concentrators and mineral-separation plants, except persons employed in the office, boarding-house or bunk-house of any such mine or plant.

In Ontario, to all underground workers, except shift-bosses, pump-men, cage-tenders, or any persons engaged solely in surveying or measuring, in districts without county organization. (Much the larger part of the mining operations of Ontario is carried on in districts where there are no county organizations).

In Quebec, to boys between the ages of fifteen and seventeen years employed underground in any mine or quarry.

In the Yukon Territory, to boys between the ages of twelve and fourteen years employed either above or below ground in any mine.

In the *manufacturing* industry the laws and orders respecting an eight-hour day or forty-eight hour week apply as follows in the different provinces:—

In British Columbia, to young girls and women employed in any establishment within the scope of the Factories Act.

In Nova Scotia, to boys and girls between the ages of fourteen and sixteen years of age employed in any establishment within the scope of the Factories' Act and to boys and girls under fourteen years of age employed during July, August, September and October, by authority of the Act, in gathering or preparing fruit and vegetables for canning and desiccating purposes.

In Manitoba, administrative orders of the Minimum Wage Board have established a forty-eight hour week for female employees in the following occupations: abattoirs, yeast factories, creameries, printing establishments, ladies' hat factories, ladies' wear factories, garment and regalia factories, and furriers' establishments.

In the mercantile industry, the laws and orders respecting an eight-hour day or forty-eight hour week apply as follows in the different provinces:—

In Nova Scotia, to girls under sixteen years of age and boys under fourteen (except drivers of delivery wagons), employed in or about any retail, auction, or wholesale shop or warehouse.

In Manitoba, to children between the ages of thirteen and fourteen years of age employed in accordance with the provisions of the Shops Regulation Act, in any retail or wholesale store or warehouse. Orders of the Minimum Wage Board establishing a forty-eight hour week apply to female employees in hair-dressing and mail order establishments and in five, ten and fifteen cent stores.

On public works, the laws and orders respecting an eight hour day or forty-eight hour week as follows:—

In the Yukon Territory, to foremen, workmen and labourers.

In Manitoba, the last schedule issued by the Manitoba Fair Wage Board established a forty-eight hour week for mosaic and tile setters and a forty-eight hour week for bricklayers, stone masons, marble setters, stone carvers, journeymen stone cutters, plasterers, wood, wire and metal lathers, plumbers, steamfitters and asbestos workers employed on public works.

In restaurants, the order of the Manitoba Minimum Wage Board establishing a forty-eight hour week applies to female employees.

(Question) 1. (c) State whether the limit of eight hours a day or 48 hours a week is allowed to be exceeded in certain circumstances and under certain conditions, and if so, in what circumstances and under what conditions.

(Answer) In the mining industry the limit of eight hours a day or forty-eight hours a week is allowed to be exceeded in the following circumstances, and under the following conditions in the different provinces:—

In Alberta it is not deemed a contravention of the law if a workman is below ground in the event of an accident or emergency, or if a repairing shift of workmen, for the purpose of avoiding work on Sunday, commence their period of work on Saturday before twenty-four hours have elapsed since the commencement of their last period, provided at least eight hours have elapsed since the termination thereof. In the event of great emergency or grave economic disturbance due to the demand for coal exceeding the available supply, the Lieutenant-Governor in Council may suspend the eight hour law to such extent and for such period as may be mentioned in the order.

In British Columbia, where more than two shifts are worked in a coal mine, the onsetter, bottomer or cager, pumpmen, stablemen and engineers in charge of constantly running machinery other than that directly used for the mining of coal at the face and the fire-boss or shift-boss in charge may be relieved at the place of duty, but in no case shall such persons remain underground longer than eight hours and one half, except when extra hours underground are necessitated by a weekly change of shift where more than two shifts are worked as aforesaid. At coke-ovens, smelters, concentrators and mineral-separation plants, also on days when shifts change, persons may be employed for whatever period exceeding eight hours is necessary to make the change.

Any person may be employed or detained either above or below ground at any coal or metalliferous mine or at, in or about any coke-oven, smelter, concentrator or mineral-separation plant for longer than eight hours in any twenty-four, if such employment is owing to the occurrence of an accident or to endeavours to save or protect human life, or to save property endangered through an accident.

In Ontario, a Saturday shift may be employed underground for longer than eight hours for the purpose of avoiding work on Sunday or changing shift or giving any of the men a part holiday. The eight hour limit may also be exceeded in cases of emergency where life or property is in imminent danger, or in any case of repair work.

In Quebec, no provision is made for exceeding the limit of forty-eight hours a week for boys employed underground.

In the Yukon territory, boys between the ages of twelve and sixteen years may be employed underground for more than eight hours a day or forty-eight hours a week in cases of accident or emergency.

In the manufacturing industry, the limit of eight hours a day or forty-eight hours a week is allowed to be exceeded in the following circumstances and under the following conditions in the different provinces:—

In British Columbia, subject to any regulations made by the Lieutenant-Governor in Council, the factory inspector may permit longer hours for women and young girls on account of an accident or other occurrence beyond the control of the employer, or because of the customs or exigencies of certain trades. In every case where overtime is permitted by the inspector, the hours for women and girls shall not be more than nine in any day, nor more than fifty-four in any week, and these hours shall not be before seven a.m. nor after eight p.m. Overtime shall not be worked on more than thirty-six days in a year, and every female worker employed to an hour later than seven p.m. shall be allowed at least forty-five minutes, between five and eight o'clock for an evening meal.

In Nova Scotia, subject to any regulations made by the Lieutenant-Governor in Council, the factory inspector may permit longer hours for young persons on account of an accident or other occurrence beyond the control of the employer, or because of the customs and exigencies of certain trades. In every case where overtime is permitted by the inspector, the hours for young girls shall not be more than twelve and one half in any one day, nor more than seventy-two and one-half in any week, and these hours shall not be before six a.m. nor after nine p.m. Overtime shall not be

worked on more than thirty-six days in a year, and every young girl employed to a later hour than seven p.m. shall be allowed at least forty-five minutes between five and eight o'clock for an evening meal.

In Manitoba, the orders of the minimum wage board provide that in abattoirs, yeast factories, creameries, printing establishments, ladies' hat and ladies' wear factories, garment and regalia factories and furriers' establishments, overtime for female employees shall be governed by the regulations of the Factories Act which authorizes the inspector, subject to any regulations by the Lieutenant-Governor in Council, to permit longer hours on account of an accident or other occurrence beyond the control of the employer, or because of the customs or exigencies of certain trades. In every case where overtime is permitted by the inspector, the hours for women and girls shall not be more than twelve in any day, nor more than sixty in any week, and these hours shall not be before seven a.m. nor after ten p.m. Overtime shall not be worked more than thirty-six days a year, and every female worker employed to an hour later than seven p.m. shall be allowed at least forty-five minutes between five and eight o'clock for an evening meal.

In the mercantile industry, the limit of eight hours a day or forty-eight hours a week is allowed to be exceeded in the following circumstances and under the following conditions in the different provinces:—

In Nova Scotia, the limit of eight hours a day, and four hours on Saturday for girls under sixteen and boys under fourteen years of age employed in shops is not allowed to be exceeded.

In Manitoba, the limit of eight hours a day and forty-eight hours a week for boys between the ages of thirteen and fourteen years employed in shops is not allowed to be exceeded. The Orders of the Minimum Wage Board provide that in hairdressing establishments, the limit of forty-eight hours a week for female employees may be exceeded only on permit from the Bureau of Labour and only in cases of emergency. When such permit is granted, overtime shall not exceed three hours per day, nor six hours per week, nor be worked oftener than twenty days per year. No overtime shall be worked before seven a.m. nor after ten p.m., except in "shops or stores commonly open in the evenings or on Sundays, or both". In mail order establishments, the limit of forty-eight hours a week for female employees may be exceeded only on permit from the Minimum Wage Board. When such permit is granted, overtime shall not exceed three hours on any day except Saturday, nor ten in any week except between March 15, and May 15, and between October 15 and December 22, when thirteen hours per week may be worked. Overtime shall not be worked on more than thirty days in a year and in no case shall the total working period in any week exceed sixty hours. Work shall not commence before seven a.m. nor continue after ten p.m. In "five, ten, fifteen cent" stores, overtime shall be governed by the regulations of the Factories Act. (See above.)

On public works, in the Yukon Territory, the limit of eight hours a day is allowed to be exceeded in cases of extraordinary emergency.

In Manitoba, neither the Fair Wage Act nor the schedules issued under the Act contain any provisions relating to overtime.

In restaurants in Manitoba, the limit of forty-eight hours a week fixed by the Minimum Wage Board for female employees is allowed to be exceeded only in event of emergency, under permit from the Bureau of Labour, and in such cases a working period for any female employee shall not exceed eleven hours in one day, including overtime. Overtime shall not be worked more than six hours in any one week, nor oftener than on twenty days in a year.

(Question.) 1. (d) Attach the text of any laws or administrative orders.

(Answer.) The text of the laws and administrative orders of the various provinces follow. In each case the name of the act, year, chapter, and section is given; page references in brackets are also made to the four volumes entitled *Labour Legislation in Canada, 1915-1918*, published by the Department of Labour. Copies of these publications are being sent under separate cover.

Alberta.—The Mines Act, 1913, chapter 4, section 9-12 (1915, page 563).—

9. Subject to the provisions of this Act, a workman shall not be below ground in a mine for the purpose of his work or of going to or from his work, or be allowed to be below ground for that purpose, for more than eight hours during any consecutive twenty-four hours.

(2) It shall not be deemed to be a contravention of this section if—

(a) The period between the times at which the first workman in the shift leaves the surface and the first workman in the shift returns to the surface, and the period between the times at which the last workman in the shift leaves the surface and the last workman in the shift returns to the surface, do not exceed the time fixed by this section; or

(b) A workman is below ground for the purpose of rendering assistance in the event of accident, or for meeting any danger, or for dealing with any emergency or exceptional work which requires to be dealt with without interruption in order to avoid serious interference with ordinary work in the mine.

(3) The owner, agent or manager of every mine shall fix for each shift of workmen in the mine, the times at which the lowering of workmen to the mine is to commence and to be completed, and the times at which the raising of workmen from the mine is to commence and to be completed and the same shall be fixed in such manner that every workman shall have an opportunity of returning to the surface without contravention of the foregoing provisions of this section, and shall post at the pit-head, a conspicuous notice of the times so fixed, and shall make all arrangements necessary for the observance of those times in lowering and raising the workmen.

(4) The interval between the times fixed for the commencement and for the completion of the lowering and raising of each shift of workmen to and from the mine shall not exceed the time reasonably required for the purpose and the same shall be approved by the Chief Inspector.

(5) A repairing shift of workmen may, notwithstanding the provisions of this section, for the purpose of avoiding work on Sundays, commence their period of work on Saturday before twenty-four hours have elapsed since the commencement of their last period of work so long as at least eight hours have elapsed since the termination thereof.

(6) In the event of any contravention of this section no person shall be deemed to be guilty of an offence if he can prove that he has taken all reasonable means to prevent same.

10. The owner, agent or manager of every mine shall appoint a person or persons to direct at the pit-head the lowering and raising of workmen to and from the mine, and shall cause a book (the form of which shall be prescribed by the Minister) to be kept, in which shall be entered the times at which workmen are lowered into and raised from the mine, and the cases in which any workman is below ground for more than the time fixed by this Act and the cause thereof.

(2) The workmen in a mine may, at their own cost, appoint and station one or more persons whether holding the office of check-weigher or not, to be at the pit-head at all times when workmen are to be lowered or raised, for the purposes of observing the times of lowering and raising, and the provisions of this Act relating to the appointment of the check-weigher, and to the relations of the owner, agent or manager of the mine to the check-weigher, shall apply to any person appointed under this subsection.

(3) No person shall wilfully make a false entry in the said book which is to be kept under this section, nor wilfully cause nor wilfully permit any such false entry to be made.

11. The Lieutenant-Governor in Council may, in the event of great emergency, or of any grave economic disturbance due to the demand for coal exceeding the supply available at the time, suspend the operation of this Act so far as it relates to the limiting of hours of work below ground to such extent and for such period as may be named in the order either in respect to all mines or any class of mines.

12. In the application of this Act to mines which are entered otherwise than by shafts, and to workmen who are not lowered to or raised from the mine by means of machinery, the words, "the admission of workmen to the mine" shall be substituted for the words "the lowering of workmen to the mine," and the words "the return of workmen from the mine," shall be substituted for the words "the raising of workmen from the mine," and the times fixed by the owner, agent or manager of the mine, under section 9 hereof shall be substituted for the times so fixed under this section.

British Columbia. The Coal Mines Regulation Act, R.S. 1911, chapter 160, section 19, (1915, page 638), amended by 1918, chapter 54, (1918, page 109.)

Employment Underground.

19. No person employed in or about a mine shall remain underground for the purpose of employment, or for any other purpose except as hereinafter provided, for a longer period than eight hours from bank to bank in any one calendar day of twenty-four hours: Provided, however, that where more than two shifts are worked the onsetter, bottomer or cager, pumpmen, stablemen, and engineers in charge of constantly running machinery other than motors and machinery directly used for the mining, drilling, or getting of coal at the face, the fireboss or the shiftboss in charge of the mine or shift, may be relieved at the place of duty; but in no case shall such person or persons remain underground for a longer period than eight hours and thirty minutes from bank to bank in any one calendar day of twenty-four hours; and provided further that nothing in this section shall be construed to prohibit extra hours of employment underground for such person or persons when necessitated by a weekly change of shift where more than two shifts are worked as aforesaid:

Provided also that nothing in this section contained shall apply where any miner, mine labourer, or underground worker has been employed or detained underground for a longer period than eight hours from bank to bank in any twenty-four hours owing to the occurrence of an accident to the mine, or in endeavouring to save or protect human life, or owing to such accident to save property, nor prohibit the manager or overman from entering a mine at any time and remaining therein in the necessary discharge of his duties.

No contravention of the foregoing shall be deemed to take place in the case of any pumpman or engineer in charge of constantly running machinery who is underground for the purpose of dealing with any emergency requiring immediate attention and which, if neglected, would necessitate the closing of the mine.

"Twenty-four hours" for the purpose of this section shall mean from midnight to midnight.

For the purpose of this section an inspector shall have access at all reasonable times to the time-book or other record of persons employed.

Any person who pays or receives payment for work (other than the hereinbefore excepted work) performed in excess of eight hours in twenty-four hours or who fails to comply with the provisions of this section shall be guilty of an offence against this Act.

INSPECTION AND REGULATION OF COAL MINES—EIGHT HOUR DAY.

Chapter 54.—1. This Act may be cited as the Coal-mines Regulation Act Amendment Act, 1918.

2. Section 19 of the Coal-mines Regulation Act, being chapter 160 of the Revised Statutes of British Columbia, 1911, is hereby amended by inserting immediately after the third paragraph of said section the following paragraph:—

"No person shall be employed above ground at or about a mine for a longer period than eight hours in any one calendar day of twenty-four hours: Provided that nothing in this paragraph contained shall apply to persons employed in the office, boarding-house, or bunk-house of any mine: And provided also that nothing in this paragraph contained shall apply where any person has been employed or detained for

a longer period than eight hours in any twenty-four hours owing to the occurrence of an accident in, at, or about the mine, or in endeavouring to save or protect human life, or owing to such accident to save property."

3. This Act shall come into operation on the thirty-first day of March, 1919.

Assented to April 23, 1918.

Metalliferous Mines Inspection Act, R.S. 1911, chapter 164, section 31, (14) (1915, page 665), amended by 1918 chapter 55, section 31 (14) (1919, page 110.)

Employment Underground.

(14) No person shall be employed underground in any metalliferous mine for more than eight hours in every twenty-four hours.

3. Section 31 of said chapter 164 is hereby amended by striking out Rule (14) of said section, together with the words "Employment Underground" immediately preceding said rule, and substituting therefor the following:—

"Hours of Employment.

"(14.) No person shall be employed underground in any metalliferous mine for a longer period than eight hours in any twenty-four hours; and in computing the said period of eight hours the same shall be reckoned from the time the person enters the mine until he reaches the surface. No person shall be employed above ground at or about a metalliferous mine for a longer period than eight hours in any twenty-four hours: Provided that nothing in this rule contained shall apply to persons in the office, boarding-house, or bunk-house of any mine: And provided also that nothing in this rule contained shall apply where any person has been employed or detained for a longer period than eight hours in any twenty-four hours owing to the occurrence of an accident in or about the mine, or in endeavouring to save or protect human life, or owing to such accident to save property."

The Labour Regulation Act, R.S. 1911, chapter 124, (1915, page 626) amended by 1918 chapter 40, page 109.

HOURS OF LABOUR—EIGHT HOUR DAY FOR SMELTER WORKMEN.

Chapter 124.—1. This Act may be cited as The Labour Regulation Act.

2. No person shall be employed in or about any smelter, sorting, handling, removing, or smelting ores, slag, or matte, in any stage of preparation, for a longer period than eight hours in any twenty-four hours, except that on days when shifts change they may be employed for whatever longer period may be necessary to make the change.

3. Any owner, agent, or manager, or any one acting on their behalf, employing any workman or person in contravention of this Act shall be liable to a penalty not exceeding one hundred dollars nor less than twenty dollars for each workman or person so employed, and any workman or person so working for a longer period than specified in the last preceding section, shall be liable to a penalty not exceeding one hundred dollars nor less than twenty dollars.

4. Twenty-four hours, for the purpose of this Act, shall mean from midnight to midnight.

EIGHT HOUR DAY FOR SMELTER WORKMEN.

Chapter 40.—1. This Act may be cited as the Labour Regulation Act Amendment Act, 1918.

2. Section 2 of the Labour Regulation Act, being chapter 124 of the Revised Statutes of British Columbia, 1911, is hereby repealed, and the following is substituted therefor:—

"2. No person shall be employed at, in, or about any coke-oven, smelter, concentrator, or mineral-separation plant for a longer period than eight hours in any twenty-

four hours, except that on days when shifts change a person may be employed for whatever longer period may be necessary to make the change: Provided that nothing in this section contained shall apply to persons employed in the office, boarding-house, or bunk-house of any smelter, concentrator, or mineral-separation plant: And provided further that nothing in this section contained shall apply where any person has been employed or detained for a longer period than eight hours in any twenty-four hours owing to the occurrence of an accident in or about the coke-oven, smelter, concentrator, or mineral-separation plant, or in endeavouring to save or protect human life, or owing to such accident to save property."

3. This Act shall come into operation on the thirty-first day of March, 1919.

Assented to April 23, 1918.

Ontario.—Mining Act, R.S. 1914, section 159 (1915, page 315).

159. (1) No workman shall remain or be allowed to remain underground in any mine for more than eight hours in any consecutive twenty-four hours, which eight hours shall be reckoned from the time he arrives at his place of work in the mine until the time he leaves such place, provided, however, that

(a) A Saturday shift may work longer hours for the purpose of avoiding work on Sunday or changing shift at the end of the week or giving any of the men a part holiday.

(b) The said limit of time shall not apply to a shift boss, pump man, cagetender, or any person engaged solely in surveying or measuring, nor shall it apply in cases of emergency where life or property is in imminent danger, or in any case of repair work, or to any mine where the number of men working in a shift does not exceed six.

(2) In this section

"Workman" means any person employed underground in a mine who is not the owner or agent or an official of the mine.

"Shift" means any body of workmen whose hours for beginning and terminating work in the mine are the same or approximately the same.

(3) Where any question or dispute arises as to the meaning or application of clause (b) of subsection (1), or as to the meaning of "workman," "shift," or "underground," the certificate of the Inspector shall be conclusive.

(4) For greater certainty it is hereby declared that sections 174, 175, 179, 180 and 181 of this Act shall apply to contraventions of this section provided, however, that a workman shall not be guilty of an offence for failure to return to the surface within the time limited by this section if he proves that without fault on his part he was prevented from returning owing to means not being available for the purpose.

(5) In the event of great emergency or grave economic disturbance, the Lieutenant-Governor in Council may suspend the operation of this section to such extent and for such period as he deems fit; or upon the Inspector certifying as regards any iron mine that the precautions, safeguards and arrangements for protecting the health, safety and comfort of the workmen employed therein are satisfactory and in compliance with this Act, the Lieutenant-Governor in Council may, upon the recommendation of the Minister, in like manner suspend the operation of this section in so far as such mine is concerned.

(6) This section shall come into effect on the first day of January, 1914, in all those parts of the Province without county organization, and in the remaining parts of the Province at such time as may be named by the Lieutenant-Governor by his proclamation.

Quebec.—Mining Act, R.S. 1909, article 2212, (1915, page 260).

3. No male child of fifteen years but under seventeen years shall be employed in a mine as above, more than forty-eight hours per week, such week being considered as beginning at midnight on Sunday and ending at midnight on the following Saturday

Yukon.—Miners' Protection Ordinance, C. O. 1914, chapter 65, section 10, (1915 page 718).

Employment of Boys.

10. No boy of or above the age of twelve years, and under the age of sixteen years shall be employed either about or allowed to be for the purpose of employment in or about any mine below or above ground for more than forty-eight hours in any one week, or for more than eight hours in any one day except in case of accident or emergency.

15. In any case,—

(1) Wherever any change occurs in the name of the owner, agent or manager of any mine or in the offices of any incorporated company which is the owner of any such mine; or

(2) Where any working is commenced for the purpose of opening any such mine; or

(3) Where any mine is abandoned or the working thereof discontinued; or

(4) Where the working of a mine is recommenced after an abandonment or discontinuance for a period exceeding two months, the owner, agent or manager of such mine shall give notice thereof to the commissioner within two months after such commencement, abandonment, discontinuance, recommencement or change; and if such notice is not given, the owner, agent or manager shall be guilty of an offence against this ordinance, provided that this section shall not apply to placer mines.

MANUFACTURING.

British Columbia.—The Factories Act, R.S. 1911, chapter 81, section 11-16, (1915, page 608-9.)

Regulations respecting Female Employees.

11. It shall not be lawful to employ in a factory any young girl or woman, so that the health of such young girl or woman is likely to be permanently injured, and whoever so employs any young girl or woman shall, upon summary conviction thereof, incur and be liable to imprisonment in the common jail of the judicial district wherein the offence has been committed for a period not exceeding six months, or to a fine of not more than one hundred dollars with costs of prosecution; and in default of immediate payment of such fine and costs, then to imprisonment as aforesaid.

12. To employ in a factory any young girl or woman shall be deemed to be unlawful and to be employing so that the health of such young girl or woman is likely to be permanently injured, if in that factory there is any contravention of the following provisions of this section, that is to say:—

(a) It shall not be lawful for a young girl or woman to be employed for more than eight hours in one day, nor more than forty-eight hours in any one week, unless a different apportionment of hours of labour per day be made for the sole purpose of giving a shorter day's work on Saturday.

(b) In every factory the employer shall allow every young girl and woman therein employed not less than one hour at noon of each day for meals, but such hour shall not be counted as part of the time herein limited with respect to the employment of young girls and women.

(c) If the inspector so directs in writing, the employer shall not allow any young girl or woman to take meals in any room wherein any manufacturing process is then being carried on. And if the inspector so directs in writing, the employer shall, at his own expense, provide a suitable room or place in the factory, or in connection therewith, for the purpose of a dining and eating room for the persons employed in the factory.

13. Subject to any regulations which may be made in that behalf by the Lieutenant-Governor in Council, it shall be lawful for the inspector,—

(a) Where any accident, which prevents the working of any factory, happens to the motive power of any machinery; or

(b) Where, from any other occurrence beyond the control of the employer, the machinery, or any part of the machinery, of any factory cannot be regularly worked; or

(c) Where the customs or exigencies of certain trades require that young girls or

women working in a factory, or in certain processes in a factory, shall be employed for a longer period than as herein above provided,—
on due proof to his satisfaction of such accident, occurrence, custom, or exigency of trade, to give permission for such exemption from the observance of the foregoing provisions of the Act as will, in his judgment, fairly and equitably to the proprietors of, and to the women and young girls in, such factory make up for any loss of labour from such accident or occurrence, or meet the requirements of such custom or exigency of trade.

14. In the case of the inspector permitting such exemption as in the last preceding section mentioned,—

(a) No woman or young girl shall be employed before the hour of seven o'clock in the morning nor after the hour of eight o'clock in the evening; and

(b) The hours of labour for women and young girls shall not be more than nine in any one day, nor more than fifty-four in any one week; and

(c) Such exemption shall not comprise more than thirty-six days, in the whole, in any twelve months; and in reckoning such period of thirty-six days every day on which any young girl or woman has been employed overtime shall be taken into account; and

(d) During the continuance of such exemption, there shall, in addition to the hour of the noonday meal provided for by the twelfth section of this Act, be allowed to every woman and young girl so employed in the factory on any day to an hour later than seven of the clock in the afternoon not less than forty-five minutes for another or evening meal, between five and eight of the clock in the afternoon; and

(e) In every factory to, or with respect to, which any such permission for exemption is so given there shall, in compliance with the provisions of the sixteenth section of this Act, be affixed a notice specifying the extent and particulars of such exemption.

15. When, under the exemptions allowed herein, any young girl or woman is employed in any factory on any day for a longer period than is allowed herein, the duration of such employment shall be daily recorded by the employer in a register, which shall be in such form as may be required by any regulations made in that behalf by the Lieutenant-Governor in Council, or, until such form is provided, in the form given by this Act.

16. Notice of the hours between which young girls or women may be employed shall be made in such form as may be required by the regulations made in that behalf by the Lieutenant-Governor in Council or until such form is provided, in the form given by this Act, and shall be signed by the inspector and by the employer, and shall be hung up, during the period affected by such notice, in such conspicuous place or places in the factory as the inspector requires.

Manitoba.—Administrative Orders of the Minimum Wage Board as follows:—
Regulations governing female employees in:—

(1) *Food Stuffs Factories.*

(a) *ABATTOIR GROUP, 1918.*

2. *Hours.*

(1) *Hours of Labour.*—The hours of labour shall be not more than nine (9) hours in any day, nor more than forty-eight (48) in any week. No female employee shall work between 9.00 p.m., and 7 a.m., nor between 12.00 o'clock Saturday night and 12.00 o'clock Sunday night.

(2) *Overtime.*—Overtime shall be governed by the regulations of "The Factories' Act," viz., not oftener for any worker than 36 days in a year, and only on permit from the Bureau of Labour. There shall be extra payment at the regular rate if the work exceeds the number of hours allowed in these regulations to any industry.

(3) *Lunch Hour.*—One hour shall be allowed for lunch.

(4) *Delays*.—An employee waiting on the premises as required by the employer shall be paid for the time thus spent.

(b) CREAMERIES GROUP, 1918.

2. *Hours*.

(1) *Hours of Labour*.—The hours of labour shall be not more than nine (9) hours in any day, nor more than forty-eight (48) in any week. No female employee shall work between 9.00 p.m. and 7.00 a.m., nor between 12.00 o'clock Saturday night and 12.00 o'clock Sunday night. In case of Sunday work becoming necessary, the workers shall be released upon one other day in the week.

(2) *Overtime*.—Overtime shall be governed by the regulations of "The Factories' Act," viz., not oftener for any worker than 36 days in a year, and only on permit from the Bureau of Labour. There shall be extra payment at the regular rate if the work exceeds the number of hours allowed in these regulations to any industry.

(3) *Lunch Hour*.—One hour shall be allowed for lunch.

(4) *Delays*.—An employee waiting on the premises as required by the employer shall be paid for the time thus spent.

(c) YEAST GROUP, 1918.

2. *Hours*.

(1) *Hours of Labour*.—The hours of labour shall be not more than nine (9) hours in any day, nor more than forty-eight (48) in any week. Saturday afternoon shall be a half-holiday. No female employee shall work between 9.00 p.m. and 7.00 a.m., nor between 12.00 o'clock Saturday night and 12.00 o'clock Sunday night.

(2) *Overtime*.—Overtime shall be governed by the regulations of "The Factories' Act," viz., not oftener for any worker than 36 days in a year, and only on permit from the Bureau of Labour. There shall be extra payment at the regular rate if the work exceeds the number of hours allowed in these regulations to any industry.

(3) *Lunch Hour*.—One hour shall be allowed for lunch.

(4) *Delays*.—An employee waiting on the premises as required by the employer shall be paid for the time thus spent.

(2) *Printing Establishments, 1919.*

2. *Hours*.

(1) *Hours of Labour*.—The hours of labour shall be not more than nine (9) hours in any day, nor more than forty-eight (48) in any week. (Saturday afternoons shall be a half-holiday.) No female employee shall work between 7.00 p.m. and 7.00 a.m. on a normal working day, nor between 12.00 o'clock Saturday night and 12.00 o'clock Sunday night.

(2) *Overtime*.—Overtime shall be governed by the regulations of "The Factories' Act," viz., not oftener for any worker than 36 days in a year, and only on permit from the Bureau of Labour. There shall be extra payment at not less than the regular rate if the work exceeds the number of hours allowed in these regulations to any industry.

(3) *Lunch Hour*.—One hour shall be allowed for lunch.

(3) *Ladies' Hat Factories, 1919.*

2. *Hours*.

(1) *Hours of Labour*.—The hours of labour shall be not more than nine (9) hours in any day, nor more than forty-eight (48) in any week. (Saturday afternoons shall be a half-holiday.) No female employee shall work between 7.00 p.m. and 7.00 a.m., nor between 12.00 o'clock Saturday night and 12.00 o'clock Sunday night.

(2) *Overtime*.—Overtime shall be governed by the regulations of "The Factories' Act," viz., not oftener for any worker than 36 days in a year, and only on permit from the Bureau of Labour. There shall be extra payment at not less than the regular rate if the work exceeds the number of hours allowed in these regulations to any industry.

(3) *Lunch Hour*.—One hour shall be allowed for lunch.

(4) *Delays*.—An employee waiting on the premises as required by the employer shall be paid for the time thus spent.

(4) *Ladies' Wear Factories, 1919.*

2. *Hours.*

(1) *Hours of Labour*.—The hours of labour shall be not more than nine (9) hours in any day, nor more than forty-eight (48) in any week. (Saturday afternoons shall be a half-holiday.) No female employee shall work between 9.00 p.m. and 7.00 a.m., nor between 12.00 o'clock Saturday night and 12.00 o'clock Sunday night.

(2) *Overtime*.—Overtime shall be governed by the regulations of "The Factories' Act," viz., not oftener for any worker than 36 days in a year, and only on permit from the Bureau of Labour. There shall be extra payment at not less than the regular rate if the work exceeds the number of hours allowed in these regulations to any industry.

(3) *Lunch Hour*.—One hour shall be allowed for lunch.

(4) *Delays*.—An employee waiting on the premises as required by the employer shall be paid for the time thus spent.

(5) *Garment and Regalia Factories, 1919.*

2. *Hours.*

(1) *Hours of Labour*.—The hours of labour shall be not more than nine (9) hours in any day, nor more than forty-eight (48) in any week. (Saturday afternoons shall be a half-holiday.) No female employee shall work between 7.00 p.m. and 7.00 a.m., nor between 12.00 o'clock Saturday night and 12.00 o'clock Sunday night.

(2) *Overtime*.—Overtime shall be governed by the regulations of "The Factories' Act," viz., not oftener for any worker than 36 days in a year, and only on permit from the Bureau of Labour. There shall be extra payment at not less than the regular rate if the work exceeds the number of hours allowed in these regulations to any industry.

(3) *Lunch Hour*.—One hour shall be allowed for lunch.

(4) *Delays*.—An employee waiting on the premises as required by the employer shall be paid for the time thus spent.

Nova Scotia.—The Factories Act, 1901, sections 16-18 and 19 (1915, page 142-3).

16. (1) It shall not be lawful for a child in the cases provided for by section 12, nor for a boy or girl under the age of sixteen, to be employed for more than eight hours in any one day, nor for more than four hours on any Saturday; nor shall it be lawful for any young girl to be employed for more than nine hours in one day. 1909, c. 36, s. 2. 1910, c. 17, s. 20.

(2) In every factory the employer shall allow every child, young girl and woman therein employed not less than one hour at noon of each day for meals; but such hour shall not be counted as part of the time herein limited as respects the employment of children, young girls and women.

(3) If the inspector so directs in writing, the employer shall not allow any child, young girl or woman to take meals in any room wherein any manufacturing process is then being carried on. And if the inspector so directs in writing, the employer shall at his own expense provide a suitable room or place in the factory or in connection therewith for the purposes of a dining and eating room for persons employed in the factory.

17. (1) Notwithstanding anything contained in this Act, women may during the months of July, August, September and October in any year be employed to a later hour than nine o'clock in the afternoon of any day in any factory wherein the only

work or operations carried on relate to or are exclusively such as may be necessary for the canning or desiccating of fruits or vegetables, and the preparation thereof for being so canned or desiccated; but no woman shall be so employed during the said months to a later hour than nine o'clock in the afternoon of any day for more than twenty days in the whole. and in reckoning such period of twenty days, every day on which any woman has been so employed to a later hour than nine o'clock in the afternoon shall be taken into account.

(2) Where under the provisions of this section any woman is employed on any day to a later hour than seven o'clock in the afternoon, she shall, on every such day and in addition to the hour for the noon-day meal provided for by this Act, be allowed not less than forty-five minutes for another or evening meal between five and eight of the clock in the afternoon.

18. (1) Subject to any regulations which may be made in that behalf by the Governor-in-Council, it shall be lawful for the inspector—

(a) Where any accident which prevents the working of any factory happens to the motive power of any machinery; or

(b) Where from any occurrence beyond the control of the employer the machinery or any part of the machinery of any factory cannot be regularly worked; or

(c) Where the customs or exigencies of certain trades require that the young girls or women working in a factory, or in certain processes in a factory, shall be employed for a longer period than is herein above provided;

on due proof to his satisfaction of such accident, occurrence, customs or exigency of trade, to give permission for such exemption from the observances of the foregoing provisions of this Act, as will, in his judgment, fairly and equitably to the proprietors of, and to the young girls and women in such factory, make up for any loss of labour from such accident or occurrence or meet the requirements of such customs or exigency of trade.

(2) In the case of the inspector permitting such exemption—

(a) No young girl or woman shall be employed before the hour of six o'clock in the morning, nor after the hour of nine o'clock in the evening; and

(b) The hours of labour for young girls and women shall not be more than twelve and a half in any one day, nor more than seventy-two and a half in any one week; and

(c) Such exemption shall not comprise more than thirty-six days in the whole in any twelve months, and in reckoning such period of thirty-six days every day on which any young girl or woman has been employed over time shall be taken into account; and

(d) During the continuance of such exemption there shall, in addition to the hour for the noon-day meal, hereinbefore provided for, be allowed to every young girl or woman so employed in the factory on any day to an hour later than seven of the clock in the afternoon not less than forty-five minutes for another or evening meal between five and eight of the clock in the afternoon; and

(e) In every factory to, or with respect to which any such permission or exemption is so given, there shall, in compliance with the provisions of this Act respecting the posting up of notices, be posted up a notice specifying the extent and particulars of such exemption. 1909, c. 36, s. 3.

Mercantile Establishments.

Manitoba.—Shops Regulation Act, R.S. 1913, chapter 180, amended by 1916, chapter 100, section 20, (1916, page 34-5.)

Chapter 100, Section 1. All the sections of chapter 180 of the Revised Statutes of Manitoba, 1913, being "The Shops Regulation Act," from and inclusive of section 19, thereof, including schedule A, are hereby repealed and the following substituted therefor.

Hours of Labour of Certain Persons in Shops.

19. In this and the subsequent sections of this Act, unless the context otherwise requires—

(a) the expression “shop” means any retail or wholesale store, booth, stall or warehouse in which assistants are employed for hire;

(b) the expression “child” shall mean any person under the age of fourteen years;

(c) the expression “young person” shall mean any male person over the age of fourteen and under the age of seventeen years, and any female person over the age of fourteen and under the age of eighteen;

(d) the expression “woman” shall mean any female person over the age of eighteen years;

(e) the expression “inspector” means any inspector of the Bureau of Labour, appointed by order of the Lieutenant-Governor-in-Council;

(f) the expression “employer” means any person who, in his own behalf or as the manager, superintendent, overseer or agent for any person, firm, company, or corporation, has charge of any shop and employs persons therein;

(g) the expression “week” means the period between midnight on Sunday night and midnight on the succeeding Saturday night;

(h) the expression “parent” means a parent or guardian of, or a person having legal custody of or the control over, or having direct benefit from the wages of, a child or young person;

(i) the expression “school day” shall mean any day on which the public school of the district in which the child resides is in session.

20. (1) Except as hereinafter provided no child shall be employed in or about any shop.

(2) A male child over thirteen and under fourteen years of age may be employed in or about any shop on any school day for a period not longer than two hours, or on any day or days which are school holidays for a period not longer than eight hours, and a child may be so employed for a period not longer than eight hours in any one day or forty-eight hours in any one week upon producing the following certificates:

(a) A certificate issued under the provisions of “The School Attendance Act” relieving the child from school attendance.

(b) A certificate from the Bureau of Labour permitting such employment, which certificate may be granted upon the Bureau being satisfied that such employment will not be harmful to the child and is necessary in the special circumstances of the case.

Such certificates shall be kept on file by the employer and produced when called for by any inspector.

(3) No person shall employ any young person or woman in or about a shop for a longer period than sixty hours in any one week or more than fourteen hours in any one day, except that any young person whose usual and ordinary employment about a shop is out of doors, such as driver of a delivery rig, van or vehicle, may be employed for sixty-six hours in any one week.

(4) In emergency cases which may arise from time to time it shall be lawful for the inspector to give written permission for exemption from the observance of the foregoing provisions of this Act to permit of a young person or woman being employed for more than sixty hours in any one week, but in no case to exceed seventy hours.

(5) A young person or woman may be employed in a shop between the hours of eight o'clock in the morning and ten o'clock in the afternoon on the day next before a statutory holiday and during the period between the fourteenth day of December to the twenty-fourth day of December, both inclusive, in each year.

(1) *Hair-dressing Establishments, 1919.*

Minimum Wage Board. Regulations governing female employees in:--

2. *Hours.*

(1) *Hours of Labour.*—The hours of labour shall not be more than forty-eight (48) in any week, nor more than nine (9) in any day except Saturday, when eleven (11) hours may be worked. These hours shall be so arranged that each female employee shall receive one afternoon half-holiday each week during the months of July and August. No female employee shall work between 7.00 p.m. and 7.00 a.m., except on Saturdays when she may work until 10.00 p.m. nor between 12.00 o'clock Saturday night and 12.00 o'clock Sunday night.

(2) *Overtime.*—Overtime shall be worked only on permit from the Bureau of Labour, and only in cases of emergency. It shall not exceed three (3) hours in any day nor six (6) hours in any week, nor be oftener than twenty (20) days in any year. No overtime shall be worked before 7.00 a.m. nor after 10.00 p.m., except in "Shops or Stores commonly open in the evenings or on Sundays, or both". There shall be extra payment at not less than the regular rate for all overtime worked. Permits shall be posted in a place easily accessible to the employees concerned.

(3) *Lunch Hour.*—One hour shall be allowed for lunch.

(2) *Mail Order Establishments, 1919.*

2. *Hours.*

(1) *Hours of labour.*—The hours of labour shall be not more than nine (9) hours in any day, nor more than forty-eight (48) in any week. (Saturday afternoons shall be a half-holiday.) No female employee shall work between 7.00 p.m. and 7.00 a.m., nor between 12.00 o'clock Saturday night and 12.00 o'clock Sunday night.

(2) *Overtime.*—Overtime may be worked only on permit from the Board and shall in no case exceed three (3) hours on any day except Saturday, nor four (4) hours on Saturday, nor ten (10) in any week except between March 15th and May 15th and between October 15th and December 22nd, when thirteen (13) hours per week may be worked, nor shall overtime be worked on more than thirty (30) days in any year, and in no case shall the total working period in any week exceed sixty (60) hours. When a permit is obtained, it must be posted in the establishment. Work shall not commence before 7.00 a.m. nor continue after 10.00 p.m. There shall be extra payment at not less than the regular rate if the work exceeds the number of hours allowed in these regulations to any industry.

(3) *Lunch Hour.*—One hour shall be allowed for lunch.

(4) *Delays.*—An employee waiting on the premises as required by the employer shall be paid for the time thus spent.

(3) *5, 10 and 15-cent Stores, 1918.*

2. *Hours.*

(1) *Hours of Labour.*—The hours of labour shall be not more than nine (9) hours in any day nor more than forty-eight (48) in any week, except that eleven and one-half (11½) hours may be worked on Saturday, and fifty-three (53) hours weekly during the month of December, and these hours shall be so arranged that each female employee in the selling force shall receive one afternoon half-holiday each week, except during the month of December.

(2) *Overtime.*—No overtime shall be worked except under a permit from this Board.

(3) *Lunch Hour.*—One hour shall be allowed for lunch.

(4) *Departmental Stores, 1918.*

2 *Hours.*

(1) *Hours of Labour.*—The hours of labour shall not be more than eight and one half (8½) in any day, nor more than fifty (50) in any week. Saturday afternoon shall be a half-holiday during the months of June, July and August. No female employee shall work between 7.00 p.m. and 7.00 a.m., nor between 12.00 o'clock Saturday night and 12.00 o'clock Sunday night.

(2) *Overtime.*—No overtime shall be worked except under a permit from this Board.

(3) *Lunch Hour.*—One hour shall be allowed for lunch.

Nova Scotia.—Children's Protection Act, 1917, chapter 2, sections 69, 70 (1917, page 21).

69. A young person shall not be employed in or about any shop for a longer period than eight hours on any day, exclusive of meal time, nor for a longer period than four hours on any Saturday, and on every day on which such young person is employed for more than four hours, not less than one hour shall be allowed for the noonday meal.

70. Where any young person is employed in or about a shop contrary to the provisions of this Part of this Act, the employer shall, upon conviction thereof, be liable to a penalty not exceeding twenty dollars for each person so employed, and in default of payment to imprisonment for a period not exceeding one month.

Manitoba.—Fair Wage Board Schedule, 1918-19.

Province of Manitoba—Department of Public Works—"Fair Wage Schedule."

Based on recommendation of the Board appointed under Section 3 of The Fair Wage Act of 1916. The personnel of the said Board being:—

S. C. Oxtan (Chairman), Deputy Minister of Public Works, representing the Manitoba Provincial Government; George Armstrong and Walter Owens, representing the Manitoba Building Trades Federation; W. J. Davidson and J. W. Morley, representing the Winnipeg Builders' Exchange.

Whereas under Section 10, of Chapter 121, of the Statutes of Manitoba, 1916, being "The Fair Wage Act, 1916," it is provided that the Minister of Public Works shall adopt a Fair Wage Schedule.

Public Notice is hereby given that the rates per hour and working hours set forth in the following Schedule shall be the minimum rate per hour payable to any employee engaged in the respective trades and the maximum number of hours during which any employee engaged in the respective trades shall be required to work and that said Schedule shall apply and be effective for employees engaged on "Public Work" on or at the building.

Said Schedule shall be effective from 1st May, 1918, to the thirtieth day of April, A.D. 1919, both inclusive.

Issued by the Bureau of Labour by authority of Hon. George A. Grierson, Minister of Public Works.

E. McGRATH,

Secretary of the Bureau of Labour.

Any complaints or claims from Workmen will receive prompt attention if addressed to the Bureau of Labour, 301 Boyd Block, Winnipeg.

FAIR WAGE SCHEDULE FOR WINNIPEG.

The following Schedule shall apply to the City of Winnipeg and a radius of 30 miles therefrom:—

	Rate per hour.	Hours per week.
1—Common Labourers.. . . .	30	60
2—Builders' Labourers (being those directly engaged assisting tradesmen, not otherwise classified).. . . .	40	60
3—Teamsters (employed directly from or on the building).. . . .	35	66
4—Bricklayers.. . . .	80	44
5—Stone Masons.. . . .	80	44
6—Marble Setters.. . . .	75	44
7—Mosaic and Tile Setters.. . . .	62½	48
8—Terrazo Workers.. . . .	45	54
9—Stone Cutters—		
(a) Carvers.. . . .	87½	44
(b) Journeymen.. . . .	75	44
(c) Planermen and Lathemen.. . . .	60	55
10—Plasterers.. . . .	70	44
11—Wood, Wire and Metal Lathers.. . . .	60	44
12—Plumbers.. . . .	65	44
13—Steamfitters.. . . .	65	44
14—Operating Engineers on Construction—		
(a) Engineers in charge of machines of three or more drums.. . . .	75	60
(b) Engineers in charge of double drum machines.. . . .	70	60
(c) Engineers in charge of single drum or other machines used on construction.. . . .	60	60
(d) Firemen.. . . .	42½	60
15—Sheet Metal Workers.. . . .	50	54
16—Painters, Decorators, Paper Hangers, Glaziers.. . . .	55	50
17—Blacksmiths.. . . .	55	54
18—Electrical Workers (journeymen inside wiremen).. . . .	55	50
19—Structural Steel and Iron Workers.. . . .	66½	54
20—Asbestos Workers—		
(a) Journeymen.. . . .	60	44
(b) 1st Class Improvers.. . . .	50	44
(c) 2nd Class Improvers.. . . .	40	44
21—Asphalters (including Mastic and Patent Flooring and Roofs)—		
(a) Finishers.. . . .	40	54
(b) Men engaged preparing, mixing and heating materials.. . . .	35	60
22—Carpenters—		
(a) Journeymen.. . . .	60	50
(b) Form Carpenter or Carpenters' Helper.. . . .	40	60
(Men considered by employers to be qualified for a higher rate per hour than 40 cents on account of the class of work being done to be paid not less than 60 cents per hour.)		

FAIR WAGE SCHEDULE, PROVINCE OF MANITOBA, (EXCLUSIVE OF WINNIPEG).

The following Schedule shall apply to any portion of the Province of Manitoba other than the City of Winnipeg and a radius of thirty miles therefrom:—

	Rate per hour.	Hours per week.
1—Common Labourers.. . . .	25	60
2—Builders' Labourers (being those directly engaged in assisting tradesmen, not otherwise classified).. . . .	35	60
3—Teamsters (employed directly from and on the building).. . . .	30	66
4—Bricklayers.. . . .	80	44
5—Stone Masons.. . . .	80	44
6—Marble Setters.. . . .	75	44
7—Mosaic and Tile Setters.. . . .	62½	48
8—Terrazo Workers.. . . .	45	54
9—Stone Cutters—		
(a) Carvers.. . . .	87½	44
(b) Journeymen.. . . .	75	44
(c) Planermen and Lathemen.. . . .	60	55
10—Plasterers.. . . .	70	44
11—Wood, Wire and Metal Lathers.. . . .	60	44
12—Plumbers.. . . .	65	44
13—Steamfitters.. . . .	65	44
14—Operating Engineers on Construction—		
(a) Engineers in charge of machines having three or more drums.. . . .	75	60
(b) Engineers in charge of double drum machines.. . . .	70	60
(c) Engineers in charge of single drum and other machines used on construction.. . . .	60	60
(d) Firemen.. . . .	42½	60

FAIR WAGE SEHEDULE, PROVINCE OF MANITOBA, (EXCLUSIVE OF WINNIPEG).—*Continued.*

	Rate per hour.	Hours per week.
15—Sheet Metal Workers..	50	54
16—Painters, Decorators, Paper Hangers, Glaziers..	50	54
17—Blacksmiths..	55	54
18—Electrical Workers (Journemen inside wiremen)..	55	50
19—Structural Steel and Ironworkers..	66½	54
20—Asbestos Workers—		
(a) Journemen..	60	44
(b) 1st Class Improvers..	50	44
(c) 2nd Class Improvers..	40	44
21—Asphalters (including Mastic and Patent Flooring and Roofs)—		
(a) Finishers..	40	54
(b) Men engaged preparing, mixing and heating material..	35	60
22—Carpenters—		
(a) Journemen..	55	50 3
(b) Form Carpenter or Carpenter's Helper..	40	60
(Men considered by employers to be qualified for a higher rate per hour than 40 cents on account of the class of work being performed to be paid not less than 55 cents per hour.)		

Yukon.—Eight hour day for employees on public works, 1917, chapter 6, (1917, page 86).

Eight-hour Day and Fair Wages for Employees on Public Works.

Chapter 6.—1. In this Ordinance, unless the context otherwise requires, extraordinary emergency means an emergency that cannot be foreseen, such as might be necessary for saving life or property, and causes which depend for their emergency solely upon economical methods of work or importance of rapid construction.

2. This Ordinance shall not apply:

(a) To purchase made in the open market by the Government of the Yukon Territory;

(b) To work upon public, military or naval works or defence in time of war;

(c) To purchases made in the open market by the contractor, sub-contractor or other person referred to in section 6 of this Ordinance.

3. This Ordinance shall apply to work undertaken by the Government of the Yukon Territory by day labour.

4. Without restricting the application of this Ordinance it is declared that it includes:—

(a) Contracts for the erection, remodelling, construction or repair of all public works, such as school houses, bridges, piers, breakwaters, wharves, public buildings, roads, trails, streets, sidewalks, sewers and vessels for the use of the Government of the Yukon Territory;

(b) To contracts for dredging;

(c) All contracts which contemplate the performance of labour after their execution.

5. No foreman, workman or labourer, in the employment of the Government of the Yukon Territory, engaged on public works, shall be required or permitted to work more than eight hours in any one calendar day, except in cases of extraordinary emergency.

6. Every contract to which the Government of the Yukon Territory is a party, which may involve the employment of foremen, workmen or labourers, shall contain a stipulation that no foreman, workman or labourer in the employ of the contractor, sub-contractor or other person doing or contracting to do the whole or any part of the work contemplated by the contract, shall be required or permitted to work upon or in connection with the work contracted for more than eight hours in any one calendar day, except in case of extraordinary emergency.

7. Every such contract hereafter made shall contain a provision that, unless the person making or performing it, complies with the provisions of this Ordinance, the contract shall be void, and such person shall not be entitled to receive any sum of money, nor shall any officer, agent or employee of the Government of the Yukon Terri-

tory, pay or authorize payment from the funds under his charge or control, to such person for work done upon or in connection with the contract, which in its form or manner or performance violates the provisions of this Ordinance.

8. The wages to be paid to all foremen, workmen or labourers coming within the provisions of Section 6 shall be the current per diem wages paid by the Government in the locality where the work or labour is performed.

9. The rate of wages to be paid to foremen, workmen or labourers shall be the current per diem wages for such class of work paid by the Government in the locality where the work or labour is performed.

Assented to April 24, 1917.

RESTAURANTS.

Manitoba.—Minimum Wage Board Regulation governing female employees, 1919.

2. Hours.

(1) *Hours of Labour.*—The hours of labour shall be not more than ten (10) in any day, nor more than forty-eight (48) in any week, with one full day off each week. One-half hour interval shall be allowed for each meal, same not to be counted as in working hours. In any work period of five hours or more in which there is no interval for meals a period of fifteen minutes shall be allowed and light refreshments provided.

The hours shall be arranged so that no work period shall end between 12.30 a.m. and 7.00 a.m.

No employer in the restaurant industry shall employ any female worker, even at separate establishments, for more than the working periods permitted in these Regulations.

(2) *Overtime.*—Overtime shall be permitted only in case of emergency, and never so as to exceed a working period for any female employee of more than eleven (11) hours in one day, including overtime. It shall not amount to more than six (6) hours overtime in any one week, nor be oftener than twenty (20) days in the year. Overtime shall be paid at a rate of not less than the ordinary rate of wages. No overtime shall be worked except under a permit issued by the Bureau of Labour.

(Question.) 2 (a) In what other industries is the limit in fact observed without legal obligation, whether under general agreement between the employers and the workers in the industry or by custom?

(Answer.) In Canada the working day in part is limited to eight hours, under general agreement between employers and workers, or by custom, in specified occupations of the following industrial groups: The building trades, clerical and mercantile group, personal service and amusement group, general labour group, chemical and oils industry, food and tobacco industry, the metals group, pulp and paper industries, printing group, textiles industry, ships and vehicles group, the mining group and the railway group.

In leather and allied industries the eight-hour day occurs so rarely as to be almost negligible, except in the case of glove and fur workers. In the glass industry, which is well organized, an eight and a half-hour day by agreement is usual.

(Question.) 2 (b) State the extent of the application of the agreement or custom in each industry, *i.e.*, whether it applies to all workers or only to certain classes, and, in the latter case, to which classes.

In the building trades, hours are regulated largely by agreement. There is the greatest diversity in both agreement and custom. In some cases the various building trades of an entire city work on an eight-hour day basis, *e.g.*, Ottawa, Kingston and Hamilton. In other cases it may apply to only part of these trades in the city, *e.g.*, painters and electrical workers in Calgary. Where all these trades work an eight-hour day in one city, it may be in accordance with an agreement between the local Building Trades Council and the local Builders' Association, as in Ottawa. But the great

majority of building trades workers in Canada who work an eight-hour day do so in accordance with an agreement between the local unions and local employers. In very few cases is the eight-hour day established as a matter of custom only.

The eight hour day, where applied, sometimes affects all classes of labour in this group, but usually is confined to those classes having, in any particular city, a well organized union. The result is an absolute lack of uniformity; in one city the painters, carpenters and masons alone may be working on this basis; in another city, plumbers, bricklayers and stonecutters may be the only classes. There is a tendency to make an exception in the case of builders' labourers and steam engineers, whose work often may require longer hours. The present tendency, however, appears to be toward uniformity between the various building trades in any one city.

In clerical and mercantile work the eight-hour day is only occasional, though there appears to be a strong movement at present toward shortening hours by early closing of shops. In this group it is a matter almost wholly of custom. Some notable examples of the eight-hour practice exist, e.g., the T. Eaton Company, of Toronto and Winnipeg (20,000 employees), the departmental stores of Hamilton, Ont., or the Daly Company, of Ottawa, all of which give an eight-hour day. On the whole, the eight-hour day applies to but a small number of the workers of this class.

In the personal service and amusement group, diversity occurs, due to the fact that where these workers are organized the eight-hour day by agreement is fairly prevalent, but where unorganized, the reverse is true; in other words, there is some practice of the eight-hour day by agreement, but very little by custom. As organization is not extensive in this group, except in the case of theatrical employees, it follows that not a very large proportion of the workers are on this basis. The principal occupations other than theatrical employees (including moving-picture operators), which have the eight-hour day by agreement, are those of hotel and restaurant employees.

General labourers, with the exception of municipal labour in a few cities, almost invariably work in excess of an eight-hour day. Even in the case of eight-hour civic labour, teamsters usually work nine hours per day. The tendency toward a short day for labourers is more marked in the western provinces.

In the chemicals and oils group there are only occasional applications of the eight-hour day; an example is that of the Imperial Oil Company's refinery at Regina, Sask. This industry is comparatively small.

In the food and tobacco group the eight-hour day is occasional. With tobacco workers, where these are organized, it is fairly well known. Very few workers in breweries have it. It is more common in certain food industries such as cereals (e.g., Quaker Oats Co., Peterborough), and packing plants (e.g., all packing plants in Toronto, the Canadian Swift Company of Winnipeg, and P. Burns in Calgary).

In the metals group, the majority of workers in machine shops, who are well organized, work an eight-hour day by agreement. A good example is that of the Ontario Provincial Association of Machinists, which drafts hour and wage schedules for all local branches within the province. In the case of blacksmiths, boilermakers, moulders, sheetmetal workers and patternmakers, the eight-hour day is not usual, except in Western cities. In steel plants also it is unusual, but there are notable exceptions (e.g., the rolling mills at Sydney, and the Algoma Steel Corporation at Sault Ste. Marie).

In the pulp and paper industry there appears to be a strong tendency toward adopting the eight-hour day by agreement. Examples are the Eddy Co., and Booth Co., of Ottawa, the Port Arthur Pulp and Paper Co., and the Spanish River Pulp and Paper Co.—all large employers of labour.

Workers in the printing trades, who are strongly organized, almost invariably work on an eight-hour basis by agreement. Perhaps the only exceptions are to be found in certain less skilled branches of the bookbinding trades, where female labour is employed. Included in this group are the bank-note companies, who also work an eight-hour day.

In clothing and textiles, some diversity occurs; garment workers enjoy the eight-hour day to some extent, but tailors, rarely. In this connection should be noted the prevalence of piece work, which inevitably tends to increase the number of working hours per day. In textile mills the eight-hour day is practically unknown.

In the shipbuilding industries, the eight-hour day does not prevail, with the notable exception of the yards at Victoria and Vancouver. In other vehicle industries diversity occurs; the Ford Motor Co., the Brantford Motor Truck Co., the Toronto Motor Car Co., and other large firms being examples of eight-hour day employers.

The mining industry is covered in part by legislation enforcing an eight-hour day. Examples of agreement, however, are those of the Cape Breton Coal Mines in Nova Scotia (9,000 workers), and the Cobalt metalliferous mines. The mining group as a whole may be said to be largely eight-hour. In smelters, the eight-hour day is not usual; the smelters at Trail, B.C., are an exception.

Railway operation in Canada follows in general the regulations laid down in the United States by the McAdoo Award, which stipulates a basic eight-hour day. In applying to Canadian Railways, Supplement 7 of the Award, the Canadian Railway War Board announced that the working hours of the day were to be limited to eight consecutive hours, exclusive of the meal hour, when and where practicable. In electric street-railways the eight-hour day is in practice only in British Columbia.

In some cities, civic regulations affecting large numbers of workers in many different occupations, require an eight-hour day. Examples are Toronto, Brantford, Guelph, Winnipeg, Calgary, Edmonton and Vancouver. Occasionally most of the trades in a single city may be eight-hour day; Victoria, B.C., is almost 100% eight-hour. Certain large public utilities have adopted the eight-hour day—the Bell Telephone Company and the Manitoba Government Telephones are examples. Light, heat and power companies, where privately owned, usually have an eight-hour day by agreement, especially in the case of electrical workers; an example is the B.C. Electric Co., and Western Canada Power Company. Two railway express companies, the Canadian and the Canadian Northern, have an eight-hour day by agreement with their employees.

(Question.) 2. (c) Whether the limit of eight hours a day or 48 hours a week is allowed to be exceeded in certain circumstances and under certain conditions, and, if so, in what circumstances and under what conditions.

(Answer.) Usually overtime work is freely allowed, but a higher rate (usually time and a half), is charged. Occasionally, however, work in excess of eight hours is forbidden except under special circumstances. An example from the agreement between the Building Trades Council of Ottawa and the Ottawa Branch of the Association of Canadian Building and Construction industries:—

“Clause 3.—That we accept the principle of the eight-hour day, except for labourers and steam engineers, who are permitted to work 9 hours if necessary.

Clause 4.—That we agree to eliminate overtime, as far as possible, except in the case of accident or for the saving of life and property.”

This example may be taken as typical of such cases where they occur, but the occurrence is rare.

There is considerable diversity in the application of the eight-hour day. In many cases where the eight-hour day is practised there is a half-holiday on Saturday, making a total of forty-four hours per week. In fact there is a growing demand for the forty-four hour week in a number of occupations, chiefly of the metals and building industries.

(Question 2 (d) Attach a summary of the chief provisions of any general agreements.

(Answer) The following clauses taken from agreements of various kinds may be considered as typical:—

(I) Master Plumbers of Hamilton, Ont., and Local Union No. 67 of the United Association of Plumbers and Steamfitters:

Clause 1: Eight hours shall constitute a day's work for five days, from 8 a.m. to 5 p.m., with one hour for lunch, and four hours on Saturdays, from 8 a.m. to 12 noon.

In cases of extreme necessity the parties of the first part will be permitted to work two or more shifts of eight hours upon application to the parties of the second part.

Clause 3: All overtime shall be paid for at the rate of time and one-half up till 12 o'clock midnight, and from 12 o'clock midnight till 8 a.m. double time. Sundays and the following holidays: New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day and Christmas Day, shall be paid for at the rate of double time.

(II) Ottawa contractors and Local Union No. 724 of the International Brotherhood of Electrical Workers:

Section 1: Eight hours shall constitute a day's work ordinarily to be performed between the hours of 8 a.m. and 5 p.m., excepting Saturday, which shall be from 8 a.m. to 12 a.m. It is expressly agreed that the contractors shall have the option of applying the eight hours to any period of the twenty-four hours in cases where the work cannot be done during the regular hours. Sundays and legal holidays excepted.

Section 7: All Sundays, legal holidays, and all overtime after 11 p.m. and before 8 a.m. shall be paid at the rate of double time. All time after 5 p.m. until 11 p.m. shall be paid at the rate of time and one-half.

(III) Builders' and Contractors' Association and Carpenters' Local Union No. 494, of the Border Cities (Windsor, Ont.):

Rule 3: That 8 hours shall constitute a day's work, as follows: From 8 a.m. until 5 p.m. for first five days of each week, and 8 a.m. until 12 noon Saturday, a total of 44 hours per week.

Rule 4: That time and one-half be paid for first two hours. All time worked after that, including Sundays and holidays, to be double time. Double shifts to be worked when conditions are favourable.

(IV) International Brotherhood of Blacksmiths and Helpers, Calgary, Alta.:

Clause 1: That the regular working day shall not exceed eight hours per day for the first five days of the week, and four hours on the sixth day, namely, Saturday, at which time the shop shall be closed at noon (twelve o'clock).

Clause 2: All time that is worked over the schedule time shall be considered as overtime and shall be paid as follows:—

First four hours, time and one-half.

Thereafter, double time, also on Sundays and on the following holidays for 1918: New Year's Day, Good Friday, 24th of May, Dominion Day, Labour Day, Thanksgiving Day and Christmas Day.

(V) International Association of Machinists, Ontario Provincial Council:

Clause 1: Forty-four hours shall constitute a week's work, to be worked as follows: Eight hours per day for the first five days of the week, and four hours on Saturday. The division of the hours to be arranged to suit local conditions.

Clause 2: All hours worked in excess of this shall be overtime, and paid for at the rate of double time.

Clause 3: Double time shall be paid for Sundays, all proclaimed holidays, and the following statutory holidays: New Year's Day, Good Friday, Empire Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day and Christmas Day, and in cases when the holiday falls on a Sunday the overtime rate shall be paid for the day on which the holiday is observed.

Clause 4: Hours to be worked on night shifts shall be as follows: Nine hours per night from Monday to Friday, inclusive; all hours worked in excess of this shall be overtime, and paid for at the rate of double time.

Clause 11: Before there is any reduction in the working staff, the working hours shall be reduced to six, or four per day, if necessary. Full working hours shall not be restored until staff is brought up to its original strength.

(VI) John Coughlan and Sons, and the Metal Trades Council of Vancouver, B.C.:

Second: Eight hours shall constitute a day's work, four hours on Saturday.

Third: All time worked over the regular eight-hour day shall be paid at the rate of double time (two hours for one), including Sundays and the following Dominion holidays: New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day and Christmas Day. Under no circumstances shall any work be performed on Labour Day except to preserve life and property.

(VII) Various Montreal publishing companies, and Montreal Typographical Union No. 176:

Section 7: The rates of wages for day journeymen shall be as follows, for a week of forty-eight hours, the hours of work to be between 7 a.m. and 6 p.m.:

Floor men and make-up men, etc., etc..... \$23

(VIII) Edmonton publishers, and Printing Pressmen, Assistants and Feeders' Union No. 225:

(5) Overtime shall be paid for at the rate of time and one-half until 12 o'clock midnight, and from then on at the rate of double time. Overtime shall be paid for all legal holidays, New Year's Day, Good Friday, 24th of May, Dominion Day, Thanksgiving Day, Labour Day, Civic Holiday and Christmas Day, and double time for Sundays.

(6) Forty-eight hours shall constitute a week's work.

(7) In all offices where a night shift is employed, forty-five hours shall constitute a week's work, and \$2 over the day scale shall be paid to all men on night shift.

(IX) B. C. Marine, Ltd. (shipbuilding), and an international organization of various crafts in their employ:

1. Eight hours shall constitute a day's or night's work. For day work, hours to be worked between 8 a.m. and 5 p.m., with one hour off for dinner between 12 noon and 1 p.m. for the first five days of the week, and from 8 a.m. to 12 noon on Saturdays.

2. All time worked over regular hours will be considered overtime, and will be paid for at the rate of double time, until workman is relieved.

(X) Canadian Express Co. and its employees, members of Canadian Brotherhood of Railway Employees:

Article 3 (a) Except as hereinafter provided and excluding employees assigned to train messenger service, eight consecutive hours, exclusive of the meal period, shall constitute a day's work.

(b) Excluding employees assigned to train messenger service, and for employees assigned to the smaller class of agencies, where not in excess of five employees are regularly employed (including clerks, transfer employees and drivers), overtime shall be paid for the time actually on duty in excess of eight hours within twelve consecutive hours; and also for all time in excess of twelve consecutive hours computed continuously from the time required to report for duty to the end of the day's work. Time shall be counted as continuous service in all cases where the interval of release from service does not exceed one hour.

II. PROPOSALS FOR LEGISLATION UNDER CONSIDERATION AT PRESENT TIME.

(Question.) 3. It is asked that full particulars of any proposals for legislation which have been introduced by the Government in the legislature may be furnished, with the text of the Bill or Bills.

(Answer.) In Nova Scotia, the Lieutenant Governor, on May 28, 1919, gave his assent to an "Act to provide for the appointment of a commission on the hours of labour." This Act authorizes the Lieutenant Governor in Council to appoint a com-

mission to inquire into and report upon the economic effect of an eight-hour day, with special reference to the effect of such limitation upon the following matters:—

- (a) The industries of the province.
- (b) Production.
- (c) Wages.
- (d) Employment.
- (e) Export trade.
- (f) Canadian industries.

A Bill establishing the eight-hour day and forty-eight hour week for all persons engaged in manual labour was also introduced by a private member in the Nova Scotia Legislature during the recent session. This Bill, however, was not passed by the legislature.

In British Columbia also, a Bill to regulate the hours of labour in all industries was introduced in the legislative assembly by a private member. The proposed law authorized the Lieutenant Governor in Council, upon the recommendation of the Minister of Labour, to fix the hours of labour in any class of industry and to limit the hours of labour to forty-four hours in any one week, notwithstanding any Act to the contrary.

The text of the Act providing for the appointment of a commission on the hours of labour and of the two proposed measures regulating hours of labour, is attached herewith.

1919.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A COMMISSION ON THE HOURS OF LABOUR.

Whereas there is a widespread demand for the establishment by law of an eight hour day in the Province of Nova Scotia.

And whereas it is desirable that the fullest information be obtained before such legislation be enacted, as to the effect such legislation would have upon

- (a) The industries of the province.
- (b) Wages.
- (c) Production.
- (d) Employment.
- (e) Export trade.
- (f) Canadian industries.

Be it enacted by the Governor, Council and Assembly as follows:—

1. The Governor-in-Council is authorized to appoint a Commission of three members, whose duty it shall be to enquire into and report upon the economic effect of limiting a working day for the workman employed in the various industries in the Province of Nova Scotia, to a period of eight hours in every twenty-four consecutive hours, with special reference to the effect of such limitation upon the following matters:

- (a) The industries of the Province.
- (b) Production.
- (c) Wages.
- (d) Employment.
- (e) Export trade.
- (f) Canadian industries.

Regard being had to the different conditions obtaining in different districts, of amount and cost of production.

2. The Commissioners shall have all the powers of a Commission appointed under Chapter 12 of the Revised Statutes, 1900, "Of Inquiries Concerning Public Matters", and Acts in amendment thereof.

3. The Commission shall also inquire into the effect of an eight hour day in other countries where the same is by law established, upon the matters enumerated in Section 1 of this Chapter.

“AN ACT TO REGULATE THE HOURS OF LABOUR IN INDUSTRIES.”

Be it enacted by the Governor, Council and Assembly as follows:—

1. No person shall be engaged in manual labour in any industry for a longer period than forty-eight hours in any one week, nor for a longer period than eight hours, inclusive of meal hours, in any one day, unless a different apportionment of hours per day has been made for the sole purpose of giving a shorter day's work on some other day of the week. Except in the case of shifts requiring continuous labour for eight hours, there shall be allowed one hour each day for the meal of persons so employed. In the case of persons employed as miners the period of eight hours shall commence from the time of the miner leaving the bankhead to proceed to work and end at the time of his return to the bankhead.

2. Where any person is employed in or about an industry contrary to the provisions of this Chapter the employer shall, upon conviction, be liable to a penalty of not less than Twenty Dollars and not more than Two Hundred Dollars for each person so employed.

1919.

AN ACT TO REGULATE THE HOURS OF LABOUR IN ALL INDUSTRIES.

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. This Act may be cited as the “Hours of Labour Act.”

2. This Act shall have force and effect so far as the Legislature has power to enact the same.

3. The Lieutenant-Governor in Council, upon the recommendation of the Minister of Labour, and it being shown in the public interest, may by Order in Council, which shall after one publication in the British Columbia Gazette have the full force and effect of law:—

- (a) Fix and define the weekly and daily hours of labour in any class of industry;
- (b) Fix maximum and minimum penalty for any breaches or infractions;
- (c) Make provisions dealing with accidents, the saving and protecting of life, and the preventing the destruction of property;
- (d) Limit the hours of labour to forty-four hours in any one week, notwithstanding any Act to the contrary.

III.—OBSERVATIONS.

(Question) 4. (a) Is the Government prepared to adopt the limit of eight hours a day exclusive of rest time?

(b) Is the Government prepared to adopt the limit of 48 hours a week exclusive of “rest time”?

(c) How should “rest time” be defined?

(Question) 5. (a) Should the actual hours of work for each day be fixed in advance? If so, should they be fixed—

- (1) By the employers, or
- (2) By agreement between employers and trade unions, or
- (3) By administrative order?

(b) If the actual hours of work are not fixed in advance, how is the limit of eight hours a day or 48 hours a week to be enforced?

(Question) 6. (a) Will it be necessary to except from the limit of eight hours a day, if proposed to be adopted—

- (1) Any industries.
 - (2) Branches of industry.
 - (3) Particular classes of workers?
 - (b) What other limit is proposed for adoption in each case?
 - (c) What are the reasons in each case which make the exception necessary?
- (Question) 7. (a) Will it be necessary to except from the limit of 48

hours, if proposed to be adopted—

- (1) Any industries.
- (2) Branches of industry.
- (3) Particular classes of workers?
- 7. (b) What other limit is proposed for adoption in each case?
- (c) What are the reasons in each case which make the exception necessary?

(Question) 8. (a) Will it be necessary to allow supplementary hours (over time) in excess of the limit for seasonal industries, for exceptional circumstances, in case of accidents, or otherwise? It is asked that as full particulars as possible may be given.

- (b) What limits will it be possible to impose on such supplementary hours?
- (c) Will a compensatory reduction of hours be provided at other times?

(Question) 9. Will it be necessary to allow any "delays" before the limit of hours is applied?

- (a) Generally.
- (b) For particular industries.
- (c) Particular districts.

The dates should be specified in each case.

(Answer)—to questions 4, 5, 6, 7, 8 and 9:—

The whole question of hours of labour has been regarded as falling generally, if not wholly, within the jurisdiction of the provinces, and, as replies to other questions will have indicated, the provinces have enacted legislation freely on the subject. Questions 4 to 9 relate to legislation which may be enacted by the provinces some time in the future, or, should it be established that the powers of the Dominion Government are less limited in these matters than they are at present held to be, then on the part of the Dominion Government. The whole subject of hours of labour is at the present time one of increasingly active discussion in the public press and also of increasing contention as between employers and workmen. The time allowed for replying to the questionnaire is too brief to permit communication with the provinces, but information to hand in the Department of Labour would not lead to the view that the several provinces have yet formulated any distinct policy on such points as those enumerated in questions 4 to 9.

Item 2 of the Agenda:

QUESTION OF PREVENTING OR PROVIDING AGAINST UNEMPLOYMENT.

I. NATURE AND EXTENT OF THE PROBLEM.

1. What is the nature and extent of the problem in your country?
2. What organization exists in your country for the systematic study of the question?

II. PREVENTION OF UNEMPLOYMENT.

1. What steps are taken to adjust the supply of labour to meet the variations in demand by—

- (a) Promoting the mobility of labour either by means of a system of Public Employment Exchanges or otherwise.
- (b) Regulation of overtime—
 - (i) By means of administrative action, or
 - (ii) By voluntary arrangements between associations of employers and workers.
- (c) Systematic short time by agreement between associations of employers and workers during periods of depression in trade.
- (d) Arrangements with regard to the allocation of public contracts by central and local authorities.
- (e) Regulations of immigration.

III. COMPULSORY INSURANCE AGAINST UNEMPLOYMENT.

4. Is there any scheme of compulsory insurance?
5. If so, give full particulars, including classes of workers affected, rates of contribution, rates of benefit, etc.
6. What is the test of unemployment and inability to obtain work?

IV. PUBLIC ORGANIZATIONS.

7. What Public Organizations exist specially for the relief of the unemployed? Please state—

- (a) Their organization;
- (b) The nature of their resources and the amount of their expenditure.

V. VOLUNTARY PROVISION AGAINST UNEMPLOYMENT.

What voluntary provision against unemployment is made—

8. By associations of workers:—

- (a) Please state the number of associations of workpeople providing unemployment benefits and total membership.
- (b) Please state the general conditions for payment of benefits.

9. By other associations, with particulars as above.

10. Is there any system of subvention from public funds?

If so, what is the amount of the grants and under what condition are they paid?

VI. OBSERVATIONS.

11. It is asked that full particulars of any proposals for legislation which have been introduced by the Government in the legislature may be furnished, with the text of the Bill or Bills.

12. Is it considered that any effective steps could be taken to limit or prevent unemployment by international action.

REPLIES TO QUESTIONS CONTAINED IN ITEM 2 OF THE AGENDA.

ITEM 2. QUESTION OF PREVENTING OR PROVIDING AGAINST UNEMPLOYMENT.

I. NATURE AND EXTENT OF THE PROBLEM.

(Question). 1. What is the nature and extent of the problem in your country?

(Answer) Canada is a young and rapidly developing country. In normal times she has been short of both the labour and the capital needed to develop adequately her rich and varied natural resources. For this reason unemployment has never, until recently, assumed serious proportions. However, the influx of immigrants, especially from Southern and Eastern Europe, and the excessive crowding into the cities, which characterized the years immediately preceding the war, the collapse of the Western boom in 1913 and the intensification of the resulting trade depression caused by the outbreak of war brought Canada face to face with the problem in an aggravated form during the winter of 1914-15. In Ontario alone the Ontario Commission on Unemployment found that the decrease in the volume of unemployment among manufacturing operatives in 1914 was equal to the full working time of, at least, 30,000 persons. But the placing of huge munitions and other war orders in Canada and the record grain crop of 1915 brought a sudden reversal of conditions with the result that for the last three years of the war Canada experienced an acute shortage of labour.

In ordinary business years, that is to say, outside of the recurring years of trade depression, Canada's problem is a seasonal one, the long and severe Canadian winter being the determining factor. In the autumn, navigation on the Great Lakes ceases, the ocean port of Montreal is closed, railway construction is stopped, and ordinary building and construction comes practically to a standstill. Men from the construction camps and from the farms, especially in the Western provinces, flock into the cities. Lumbering, ice harvesting and snow removal from railroads and streets furnish partial set-offs but there is usually a considerable number of unskilled labourers remaining unemployed in the larger cities. Among skilled workmen, the building trades are the worst sufferers, though a number of lines of manufacturing activity also experience a normal seasonal dullness.

Like all other countries Canada has not yet been able to measure accurately the total volume of unemployment within its borders at any selected time. Since 1915, however, returns have been received from trade union secretaries showing the number

and percentage of the unemployed in the organized trades. The following table gives a summary of these statistics for the last four years:—

Occupation.	Mar. 1919	Feb. 1919	Jan. 1919	Dec. 1918	Sept. 1918	June 1918	Mar. 1918	Dec. 1917	Sept. 1917	June 1917	Mar. 1917	Dec. 1916	Sept. 1916	June 1916	Dec. 1915
Manufacturing and Mechanical Industries...	4.18	4.29	3.32	2.89	.96	.42	.91	2.77	4.05	1.79	1.22	2.3	1.3.	1.1	3.1
Metals, machinery and conveyances...	5.51	5.54	3.21	3.53	1.24	.14	.28	.76	1.5	.11	.29	.71	0	0	0
Food, tobacco and liquors	6.79	8.90	8.24	8.63	1.47	1.78	.85	3.29	2.12	1.50	1.75	1.2	.5	.4	.8
Textiles, carpets and cordage	3.99	12.99	11.50	1.41	0	.05	.05	0	0	0	0	0	.5	0	0
Clothing	2.27	.26	3.22	3.42	0	1.18	3.40	11.21	11.13	4.95	5.46	6.4	1.0	.6	3.3
Pulp, paper and fibre...	3.29	.96	2.23	.43	1.75	0	0	.34	0	0	0	0	0	0	0
Printing, publishing and paper goods	.59	.70	.69	.86	.83	.72	.78	.67	2.05	.79	.52	.3	1.2	.8	3.7
Woodwork and furniture	2.21	2.78	10.57	0	.63	2.20	4.60	3.00	.89	.62	.69	.6	0	5.9	3.7
Leather, boots, shoes and rubbers	4.22	4.00	1.19	1.33	0	0	7.83	2.92	30.70	6.28	4.18	4.3	1.0	0
Glass bottle blowing	10.03	9.44	0	.32	1.49	0	2.23	4.48	13.84	3.56	1.92	0	12.17	0	0
Jewelry	.48	.14	.27	0	0	0	0	0	0	0	0	0	0	0	0
Oil refining	2.67	4.61	5.88	.67	0	0	0	0	0	0	0	0	0	0	0
Transportation	4.75	4.56	2.02	1.48	.38	.42	1.22	.70	.55	.51	1.26	1.6	.6	.5	3.00
Steam railways	2.87	2.74	1.78	.35	.16	.21	.29	.76	.25	.35	1.12	.6	.6	.5	2.4
Street and electric railways	.38	3.42	.33	.06	0	0	.38	.17	.44	.18	1.09	.2	0	.3	2.3
Navigation	17.73	18.17	6.73	7.80	1.76	2.12	8.80	.64	2.38	1.79	3.79	10.5	1.2	2.3	12.2
Teaming and driving	2.63	3.69	2.98	2.57	.27	.05	.08	0	0	0	0	0	0	0	0
Mining, quarrying and refining of ores	1.87	3.79	1.42	1.24	.35	.18	.40	2.09	.22	.32	.80	.65	.7	1.2	5.9
Building and Construction	16.45	16.44	16.29	8.68	1.31	1.57	7.63	9.58	2.26	3.21	7.47	5.2	6.3	8.6	28.3
Public employment	.07	.48	.33	.47	1.54	.02	0	.17	.04	.04	.47	.1	.1	0	0
Fishing	0	17.54	50.50	0	0	0	0	0	0	0	0	0	0	0	23.0
Miscellaneous	4.74	4.07	2.84	2.29	1.40	.49	1.25	1.56	.80	.99	2.11	1.3	1.9	3.1	8.4
All occupations	5.62	5.61	3.94	2.76	.72	.50	1.68	2.42	1.71	1.25	2.16	2.1	1.4	2.1	8.7

For the war period these trade union returns provide the only index of unemployment available. In the future the weekly reports from the system of employment offices which has recently been established will furnish a valuable supplementary index. Finally, weekly reports are now being received from representative employers of labour in all industries and in all parts of the country. These have made it possible during the difficult reconstruction period to keep in touch with the actual and anticipated changes in employment conditions from week to week. The cessation of war orders, the demobilization of Canada's army and the general uncertainty in regard to future prices and markets resulted in considerable unemployment during the past winter. The employers' reports, however, indicate that unemployment was not as widespread as many had feared and during April and May a substantial increase in the volume of employment was reported. On the other hand, this spring revival was probably not as great as was anticipated, the chief deterring factors being high prices, labour unrest and the slowness with which the country's building and construction programme is getting under way.

(Question.) 2. What organization exists in your country for the systematic study of the question?

(Answer.) Prior to 1918, no permanent organizations existed in Canada, for the study of the prevention of unemployment. In 1914, a special commission, The Ontario Commission on Unemployment, was appointed in Ontario, to investigate the nature and extent of the problem in that province. The report of the commission, including their conclusions and recommendations, was published in 1916.

Under the Employment Offices Co-Ordination Act passed in 1918 (Vide 3-A) the national employment service has been established by the Department of Labour and the Provincial Governments in co-operation. The newly created Employment Service of the Department of Labour is charged with the administration of this Employment

Offices Co-ordination Act, one of the duties assigned to it under the Act being "to compile and distribute information received from employment offices and from other sources regarding prevailing conditions of employment." Under this clause of the Act the problem of unemployment is being studied with a view to recommending ways and means of lessening its extent. One of the functions of the Employment Service Council of Canada which was created to advise the Minister on the administration of the Act, is the recommending of ways and means of preventing unemployment. That the council has already done something along this line is shown by the resolution adopted at its first meeting, recommending the allocation of government contracts according to the state of the labour market.

II. PREVENTION OF UNEMPLOYMENT.

(Question.) 3. What steps are taken to adjust the supply of labour to meet variations in demand by:— (a) Promoting the mobility of labour either by means of a system of Public Employment Exchanges or otherwise?

(Answer.) Prior to the passage of the Employment Offices Co-ordination Act in May, 1918,* there was in Canada no federal and in the majority of the provinces no provincial system of public employment offices. Quebec and Ontario had been operating employment offices in the more important cities of the provinces for some years, but little had been done in the other provinces with the exception of provision made for the placement of farm labour. In the West, in Saskatchewan and Alberta, this work was carried on by employment offices operating under the Department of Labour and the Department of Agriculture respectively. In British Columbia the Department of Labour, established in 1917, had had assigned to it the duty of establishing and maintaining labour bureaus and in 1918 Manitoba established a Government Employment Bureau which in turn was required to open and maintain offices in Winnipeg and other places in the province. In the Maritime provinces no provision at all was made for public employment offices.

The Employment Offices Co-ordination Act assigns to the Department of Labour the duty of aiding and encouraging the organization and co-ordination of public employment offices throughout Canada. Under the Act the annual grants are made to the provinces for carrying on the work. The maximum grant to be paid each year is specified and in no case is the allotment to any province to exceed one half the amount expended for the maintenance of employment offices by the province. By Order-in-Council of March 1919, the subventions paid during the years of reconstruction, 1918-19 and 1919-20 are increased over the amount specified in the Act.

In December, 1918, a director of employment service, in the Department of Labour, was appointed to carry out the provisions of the Act and of the regulations relating thereto. These regulations give in detail the functions of the federal and provincial governments with respect to the employment offices. Besides aiding the establishment of and co-ordinating the operation of provincial employment offices, the Dominion Department of Labour is also to establish Dominion Clearing Houses for the interprovincial distribution of labour and to collect and publish information as to the condition of the labour market. In the Maritime Provinces, as the provincial governments did not wish to undertake the expenditure involved, the Dominion Department of Labour has established and is itself operating the employment offices.

The Provincial Governments have the direction of their own employment offices, subject to the terms of agreement with the Minister of Labour. Provincial Advisory Councils equally representative of employers and employees are to be appointed in every province to safeguard the interests of employers and employees in the distribution of labour, to direct the policy of the local Advisory Councils which may be set up in connection with the local employment offices and to co-operate with the Employment Service Council of Canada. The duties of this latter council, composed of thirteen members, representing the Provincial Governments, manufacturers, the Canadian Council of Agriculture, organized labour and the returned soldiers associations, are to

* See page 60.

assist in the administration of the Employment Offices Co-ordination Act, and to recommend ways of preventing unemployment.

At the present time there are eighty-eight employment offices in operation under the Act, in addition to the six provincial and four Dominion Clearing Houses.

The Employment Offices Co-ordination Act and the principal regulations relating thereto are appended.

(Question.) 3. What steps are taken to adjust the supply of labour to meet variations in demand by:

(b) Regulations of overtime—

(1) By means of administrative action, or

(2) By voluntary arrangements between associations of employers and workers?

(Answer.) (1) In Canada no steps have been taken to adjust the supply of labour to meet variations in demand by regulations of overtime by means of administrative action.

(2) By voluntary agreements, between employers and employees, however, overtime is indirectly regulated in that higher rates prevail for overtime hours. The usual rule for payment of overtime is time and one-half for straight overtime, with double time on Sundays and holidays. Occasionally time and one-half rates govern both; in other cases double time prevails throughout. In the printing trades overtime rates are limited to a certain number of hours, and work extending beyond those hours is paid at double rate. In the case of the railways, overtime is paid at different rates according to the class of service affected.

(Question.) 3. What steps are taken to adjust the supply of labour to meet variations in demand by:

(c) Systematic short time by agreement between associations of employers and workers during periods of depression in trade?

(Answer.) In a few cases clauses have been inserted in industrial agreements, specifying that before a reduction in the working force is made the number of hours of labour shall be decreased, either by reducing the number of working hours per day or the number of working days per week. No extra men shall be engaged until full working hours are restored and employees who may have been laid off shall be given preference in reappointment.

(Question.) 3. What steps are taken to adjust the supply of labour to meet variations in demand by:

(d) Arrangements with regard to the allocation of public contracts by central and local authorities?

(Answer.) Within the last year there has been a growing interest among Dominion, provincial and municipal authorities, in the problem of adjusting the supply of labour to meet variations in demand by the careful allocation of public contracts. The question has naturally been given increased prominence because of the large numbers of soldiers returning from overseas for whom employment must be provided.

During the past few months the following Acts and resolutions, adopted by different governmental bodies, show the practical interest taken in the question.

At the Conference of the Employment Service Council, held at Ottawa, May 12 to 14, 1919, the following resolution was adopted:—

“In the approval and execution of public works and in the purchase of government supplies, regard shall be had so far as reasonably practicable to the general state and prospects of the labour market to the end, that the total volume of employment of the country may be kept as constant as possible.”

In British Columbia, an emergency vote was passed on March 19 by the legislature authorizing the payment of such sums:—

“(a) Such sums, not exceeding in the aggregate one million five hundred thousand dollars, as the Lieutenant Governor in Council may from time to time direct to be expended for the public service of the province in the construction, extension, diversion or material improvement of important trunk roads throughout the province, or in the construction or material alteration and repair of highway bridges where the same are deemed necessary in the public interest, or in the clearing and improvement of lands for the purposes of the ‘Better Housing Act’.”

On February 14, 1919, the Legislative Assembly of Manitoba adopted a resolution, reading in part as follows:—

“That in the opinion of this House the time has arrived for the Government of this province to enter upon an aggressive programme of reconstruction, with a view to the following, namely:

(3) To ascertain what public works of various kinds will be required within the province within the next few years, and what contracts in connection therewith, can be immediately let, with a view to providing work in the province at the earliest possible date.”

Several Canadian cities have taken definite steps to overcome the seasonal fluctuations in employment on public works, by carrying on construction work during the winter months. This has been found practicable for certain kinds of work, even during the severe cold. In Winnipeg it has been the policy for a number of years, to carry on sewer and water pipe construction during the winter, at no increased cost, because of a special machine used for breaking frozen ground. In Ontario, the cities of Galt, Peterborough, St. Thomas, Stratford, and Windsor, make it their definite policy to build sewers during the winter months in order to give their labour force regular employment throughout the year. From the east, the city of St. John, N. B., reports a certain dovetailing of occupations, sewer construction in rock being carried on throughout the winter months, in order to have men available for emergency work.

At the present time the Employment Service of the Department of Labour is studying the extent to which construction work can be carried on during the winter months by the railways and municipal and other governmental bodies.

(Question) 3. What steps are taken to adjust the supply of labour to meet variations in demand by:

(e) Regulation of immigration?

(Answer) As stated in the answer to question 2, Canada is normally a country seeking immigrants to assist in the development of her extensive natural resources. In a broad sense, then, all her immigration laws and activities have been designed to adjust the supply of labour to meet variations in demand. In the narrower sense, however, and stressing the regulative or restrictive side of our immigration laws, this motive has not perhaps played so large a part as the desire to restrict immigration to those elements which might easily be assimilated into Canadian national life.

Section 3, Chapter 38 of the Immigration Act of 1910 gives the necessary authority to adjust the supply of labour to the demand in certain occupations. The section reads as follows:—

“The Governor in Council may, by proclamation or order whenever he deems it necessary or expedient,—

(c) Prohibit for a stated period, or permanently the landing at any specified port of entry in Canada, of immigrants belonging to any race deemed unsuited to the climate or requirements of Canada, or of immigrants of any specified class, occupation or character.”

This section has frequently been invoked, especially in connection with the entry of immigrants of various classes and occupations into the province of British Columbia. A typical Order in Council under authority of this section is quoted below,—

His Excellency the Governor General in Council, in view of the uncertain condition of the labour market in the Province of British Columbia, is pleased,

pursuant to the authority conferred by subsection (c) of Section 38 of the Immigration Act, 9-10, Edward VII, to order and it is hereby ordered as follows:—

On and after May 15, 1918, and until otherwise ordered the landing at any port of entry in British Columbia, hereinafter specified, of any immigrant of any of the following classes or occupations, viz., artisans; labourers; skilled and unskilled, is hereby prohibited.

Under the Alien Labour Act which applies to the citizens of all countries which have similar laws or ordinances as against Canadian citizens, it is unlawful to secure the immigration into Canada of any alien or foreigner "under contract or agreement, parole or special, express or implied, made previous to the immigration of such alien or foreigner, to perform labour or service of any kind in Canada." There are a number of exceptions to this prohibition, chiefly domestic servants and special classes of skilled workers who cannot be secured within this country. The actual working out of this law amounts to an adjustment to the supply of labour to the demand for it in the case of these special classes of labour. Before granting a permit for importation the Immigration Department consults the Department of Labour which through its Employment Service is able to state whether or not the labour is obtainable within Canada.

Mention should also probably be made of the Chinese head-tax, the special Japanese treaty and the clause relating to "continuous voyage" which limit the immigration of Asiatics to numbers corresponding with the absorptive power of this country for such classes of immigrants.

In the new Immigration Bill, which has just been passed by the Canadian Parliament but which has not yet been signed by the Governor General (Bill 52), Section 13 reads as follows:—

"Paragraph (c) of section thirty-eight of the said Act is repealed and the following is substituted therefor:—

(c) prohibit or limit in number for a stated period or permanently the landing in Canada at any specified port or ports of entry in Canada, of immigrants belonging to any nationality or race of immigrants of any specified class or occupation, by reason of any economic, industrial or other condition temporarily existing in Canada or because such immigrants are deemed unsuitable having regard to the climatic, industrial, social, educational, labour or other conditions or requirements of Canada or because such immigrants are deemed undesirable owing to their peculiar customs, habits, modes of life and methods of holding property, and because of their probable inability to become readily assimilated or to assume the duties and responsibilities of Canadian citizenship within a reasonable time after entry."

III. COMPULSORY INSURANCE AGAINST UNEMPLOYMENT.

(Question) 4. Is there any scheme of compulsory insurance?

(Answer) No.

(Question) 5. If so, give full particulars, including classes of workers affected, rates of contributions, rates of benefit, etc.

(Answer) Answered by reply to No. 4.

(Question) 6. What is the test of unemployment and inability to obtain work?

(Answer) Answered by reply to No. 4.

IV. PUBLIC ORGANIZATION.

(Question) 7. What Public Organizations exist especially for the relief of the unemployed?

(a) Their organization;

(b) The nature of their resources and the amount of their expenditure.

(Answer) None.

V. VOLUNTARY PROVISION AGAINST UNEMPLOYMENT.

(Question) 8. What voluntary provision against unemployment is made by associations of workers?

(a) State the number of associations of workpeople providing unemployment benefits and total membership.

(Answer) According to information received in the Department of Labour, twelve international labour organizations with a combined membership of 250,767 and a Canadian membership of 9,507 paid during 1918 in out-of-work benefits \$91,172. Unfortunately the proportion of this amount paid in Canada cannot be determined. For the same period, local branches in Canada, of twenty-six international organizations, having a membership of 92,207 in the Dominion, paid \$6,448 in out-of-work benefits to their own members. In addition, two local branches of the non-international bodies and one independent unit paid \$125.00 as out-of-work benefit.

(Question.) 8. What voluntary provision against unemployment is made by associations of workers?

(b) State the general conditions for payment of benefit.

(Answer.) The conditions for payment of unemployment benefits vary considerably but among the international unions the general provision is that benefits are paid only to regular contributing members of a certain number of years standing.

The constitution of the Cigar Makers International Union of America gives two years as the period during which members shall have paid weekly dues and the benefit paid is \$3 per week and 50c. for each additional day. No member is paid during the first week that he is out of employment, nor during the period from June 1, to September 16, or December 16 to January 15th of any year. As the Cigar Makers Union is one of the first to pay out-of-work benefits, its regulations have probably served as a basis for those of the other unions.

Some of the bodies which report payments on account of out-of-work benefits have no provision in their constitutions for such expenditure, and it may be assumed that strikes and lockout benefits are sometimes reported as out-of-work benefits. In the case of the International Moulders' Union, out-of-work benefits consist of remission of dues to members out of employment.

(Question.) 9. What voluntary provision against unemployment is made by other associations with particulars as above?

(Answer.) Apart from local charitable and philanthropic organizations which are well organized in the larger cities and towns and which grant relief in special cases of hardship due to unemployment, sickness, etc., there are no associations which exist specially for the relief of the unemployed.

(Question.) 10. Is there any system of subvention from public funds? If so, what is the amount of the grants and under what conditions are they paid?

(Answer.) There is no system of subventions from public funds to associations of workers, although the Ontario Commission on Unemployment, 1914, recommended that "financial assistance be given by the Government of Ontario to voluntary associations of workingmen which undertake to provide unemployment benefits for their members", such assistance to equal 20 per cent of the sums disbursed by them in unemployment benefits. No action, however, has ever been taken on this recommendation.

A number of municipalities make annual grants to charitable organizations on the recommendations of a central body, such as the Social Service Commission in Toronto or the Social Welfare Commission in Winnipeg.

VI. OBSERVATIONS.

(Question.) 11. It is asked that full particulars of any proposals for legislation which have been introduced by the Government in the legislature may be furnished, with the text of the Bill or Bills.

(Answer.) None.

(Question.) 12. Is it considered that any effective steps could be taken to limit or prevent unemployment by international action?

(Answer.) No view on this point can be at present offered.

N.B.—An Act, passed in May, 1919, by the British Columbia legislature establishes a Department of Industries in that province, one of whose functions is “to consider and deal with plans submitted by representative bodies of returned soldiers of British Columbia for promoting and providing for employment through the establishment of new industries and the development of existing industries”.

EMPLOYMENT OFFICES CO-ORDINATION ACT.

AN ACT TO AID AND ENCOURAGE THE ORGANIZATION AND CO-ORDINATION OF EMPLOYMENT OFFICES.

[Assented to 24th May, 1918.]

His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Employment Offices Co-ordination Act*.

2. In this Act and in any regulation made thereunder, unless the context otherwise requires,—

(a) “Minister” means the Minister of Labour;

(b) “employment office” means an employment office operated by any provincial government;

(c) “employer” includes a person seeking employees;

(d) “employee” includes a person seeking employment.

3. The Minister is authorized and empowered,—

(a) to aid and encourage the organization and co-ordination of employment offices and to promote uniformity of methods among them;

(b) to establish one or more clearing houses for the interchange of information between employment offices concerning the transfer of labour and other matters;

(c) to compile and distribute information received from employment offices and from other sources, regarding prevailing conditions of employment.

4. For the purposes of such organization and co-ordination, and subject to the conditions set forth in section seven, the following sums shall be appropriated and paid out of the Consolidated Revenue Fund of Canada during each fiscal year beginning with the fiscal year beginning the first day of April, one thousand nine hundred and eighteen, namely:—

During the fiscal year beginning the first day of April, one thousand nine hundred and eighteen, the sum of fifty thousand dollars;

During the fiscal year beginning the first day of April, one thousand nine hundred and nineteen, the sum of one hundred thousand dollars;

During each succeeding fiscal year the sum of one hundred and fifty thousand dollars.

5. The moneys appropriated for each year shall be allotted and paid to the governments of the respective provinces in the proportion which their expenditure for the maintenance of employment offices bears to the total of the expenditures of all the provinces for such purposes, but in no case shall the allotment to any province exceed one half the amount expended for the maintenance of employment offices by such province.

* See page 55.

6. The payments hereinbefore authorized shall, as to each province, be conditional upon agreement between the Minister and the government of the province as to the terms, conditions and purposes within the meaning of this Act upon and for which the payments are to be made and applied, and upon such agreement being approved by the Governor in Council.

7. In any agreement so made the following conditions respecting the operation of employment offices may be stated:—

(a) That the offices shall endeavour to fill situations in all trades and for both male and female employees;

(b) That the offices shall make such returns and submit to such inspection as the Minister may require.

8. Such officers shall be appointed as are required for carrying out the provisions of this Act, and for such inspection, examination and report as are necessary to ensure the expenditure of the moneys paid in accordance with the intention of this Act and the agreements and regulations made under its authority. Such appointments shall be made under the provisions of the laws relating to the civil service, and the salaries and expenses of such officers shall be paid out of the moneys appropriated by Parliament for that purpose.

9. The Minister shall annually lay before Parliament during the first ten days of the session, a report of all proceedings under this Act for the last preceding fiscal year, which report shall contain a statement of the moneys expended, the purposes to which they have been applied, and the work done by the several provinces in the earning of the subsidies paid or authorized to be paid.

10. The Minister may make any regulations not inconsistent with this Act which he may deem necessary or convenient for carrying this Act into effect, subject to the approval of the Governor in Council.

REGULATIONS MADE UNDER EMPLOYMENT OFFICES CO-ORDINATION ACT.

Extract from the Canada Gazette, Ottawa, Monday, December 23, 1918.

ORDER IN COUNCIL.

- AT THE GOVERNMENT HOUSE AT OTTAWA.

TUESDAY, the 17th day of December, 1918.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, and under and by virtue of the provisions of The Employment Offices Co-ordination Act, chapter 21, Statutes of Canada of 1918, is pleased to make and enact the following regulations, and the same are hereby made and enacted accordingly:—

THE DEPARTMENT OF LABOUR.

1. It shall be the duty of the Department of Labour under The Employment Offices Co-ordination Act:—

(a) To encourage the provincial governments to open new employment offices, to develop those already in operation and to establish provincial clearing-houses which shall endeavour to meet any unsatisfied demand for employment by drawing upon any supply within the province or if such is not available by securing labour through the Dominion Clearing-House from any surplus in other provinces.

(b) To maintain one or more Dominion Clearing-Houses for the interprovincial distribution of labour.

(c) To provide for the co-operation of provincial employment offices and provincial clearing-houses with existing non-commercial employment agencies, with a view to the gradual absorption of such agencies.

(d) To promote uniformity of methods in provincial employment offices.

(e) To establish a system of inspection of provincial employment offices.

(f) To collect and publish information as to the condition of the labour market.

(g) To exercise supervision over private advertising for labour.

(h) To print at the expense of the Department of Labour all forms used by the employment offices.

(i) To carry out, with the approval of the Minister, the recommendations of the Employment Service Council of Canada.

(j) To pay to the provincial governments upon the compliance with these regulations amounts due them under The Employment Offices Co-Ordination Act, as shown in the reports required of them by the Minister of Labour.

2. In the discharge of these duties the Department of Labour shall co-operate with the several departments of the government in any matters requiring common or united action, and each department of the government and the officers thereof shall assist and co-operate with the Department of Labour and its officers.

THE EMPLOYMENT SERVICE COUNCIL OF CANADA.

1. To assist in the administration of the Employment Offices Co-ordination Act and to recommend ways of preventing unemployment, the Minister of Labour shall, with the approval of the Governor in Council, establish an advisory council to be known as the Employment Service Council of Canada. Such council shall consist of:—

One member each appointed by the provincial governments.

Two members appointed by the Canadian Manufacturers' Association.

Two members appointed by the Trade and Labour Congress of Canada.

One member appointed by the Railway War Board.

One member appointed by the Railway Brotherhoods.

Two members appointed by the Canadian Council of Agriculture.

Three members appointed by the Department of Labour, two of whom shall be women.

One member appointed by the returned soldiers.

One member appointed by the Soldiers' Civil Re-Establishment Department.

2. The members of the Employment Service Council of Canada shall hold office for three years and shall be eligible for re-appointment.

THE PROVINCIAL GOVERNMENTS.

1. The provincial governments shall have direction of their own employment offices, subject to the terms of the agreement with the Minister of Labour under the Employment Offices Co-ordination Act.

2. Each province shall establish a clearing-house to provide for the distribution of labour within the province and to co-operate with the Dominion Clearing-House for the interprovincial distribution of labour. The provincial clearing-house shall furnish such reports, as to employment conditions, as the Dominion Clearing-House may require.

3. In connection with the employment office administration of each province there shall be an advisory council equally representative of employers and employees, appointed by the Lieutenant Governor in Council. It shall be the duty of the advisory council to safeguard the interest of employers and employees of the province in the distribution of labour; to direct the policy of the local advisory committees, and to co-operate with the Dominion Employment Service Council of Canada.

1. The employment offices shall endeavour to fill vacancies in all occupations and shall serve both male and female employees.

2. The provincial government shall establish for such employment offices, as they deem advisable, local advisory committees consisting of equal number of persons representing employers and employees in the locality together with a chairman agreed upon by a majority both of the persons representing employers and of the persons representing employees or in default of such agreement appointed by the provincial government.

3. It shall be the duty of the local advisory committees to assist the superintendents of the employment offices in the discharge of their duties and to co-operate with the provincial advisory committees in the work of applying the national employment policy to the industry of the province.

4. As to wages and conditions, the following regulations shall be observed:—

(a) The officer in charge of an employment office in notifying applications for employment and vacancies to employers and applicants, respectively, shall undertake no responsibility with regard to wages or other conditions, beyond supplying the employer or applicant, as the case may be, with any information in his possession as to the rate of wages desired or offered.

(b) Copies or summaries of any agreements mutually arranged between associations of employers and workmen for the regulation of wages or other conditions of labour in any trade, may, with the consent of the various parties to such agreements, be filed at an employment office, and any published rule made by public authorities with regard to like matters may also be filed. Documents so filed may be open to inspection on application.

(c) No person shall suffer any disqualification or be otherwise prejudiced on account of refusing to accept employment found for him through an employment office where the ground of refusal is that a trade dispute exists or that the wages offered are lower than those current in the trade in the district where the employment is found.

5. In dealing with strikes and lockouts the employment offices shall observe the following regulations:—

(a) Any employer or association of employers or group or association of workmen may file at an employment office a statement with regard to a strike or lockout existing or threatened, affecting their trade, or a branch of their trade in the district. Any such statement shall be in the form provided for the purpose and shall be signed by a person authorized by the association for that purpose. Such statement shall be confidential except as hereunder provided, and shall only be in force for seven days from the date of filing, but may be renewed within that period for a like period and so on from time to time.

(b) If any employer who appears to be affected by a statement so filed notifies an employment office of a vacancy or vacancies for workmen of the class affected, the officer in charge shall inform him of the statement that has been filed and give him an opportunity of making a written statement thereon. The officer in charge in notifying any such vacancies to any applicant for employment, shall also inform him of the statements that have been received.

(c) The provinces may adopt any further regulations with regard to strikes and lockouts which they deem necessary.

RODOLPHE BOUDREAU,
Clerk of the Privy Council.

Item 3 of the Agenda.

WOMEN'S EMPLOYMENT.

(A) EMPLOYMENT OF WOMEN BEFORE AND AFTER CHILD-BIRTH.

1. Present Law and Practice.

1. (a) What restrictions are at present imposed by law or administrative order?
 - (b) To what kinds of employment do the restrictions apply?
 - (c) How is the period of restriction ascertained in each individual case?
 2. What provision, if any, is made for the care and maintenance of the mother and child during the period for which the restrictions apply? It is asked that full particulars of such provision may be given, especially as to whether it is given by way of grant out of public funds, or under a system of state insurance, or otherwise; the nature of the provision; the conditions under which it is given, etc.
- (It is asked that the text of the laws or orders bearing on the subject may be supplied.)

II. Proposals under consideration at present time.

3. It is asked that full particulars of any proposals for legislation which have been introduced by the Government in the legislature may be furnished, with the text of the Bill or Bills.

III. Observations.

(B) EMPLOYMENT DURING THE NIGHT.

4. Has the Berne Convention of 1906* been ratified? If not, is the Government prepared to adhere to it?

(C) EMPLOYMENT OF WOMEN IN UNHEALTHY PROCESSES.

I. Present Law and Practice.

5. What restrictions are at present imposed by law or administrative order on the employment of women—
- (a) In industries in which any of the following substances are manufactured or used?
 - (i) Lead.
 - (ii) Mercury.
 - (iii) Phosphorus.
 - (iv) Arsenic.
- (b) In any other industries.

II. Observations.

6. Is it considered that any effective steps could be taken by international action?

REPLIES TO QUESTIONS CONTAINED IN ITEM 3 OF THE AGENDA.

ITEM 3. WOMEN'S EMPLOYMENT.

(A.) EMPLOYMENT OF WOMEN BEFORE AND AFTER CHILD-BIRTH.

1. Present Law and Practice.

- (Question) 1. (a) What restrictions are at present imposed by law or administrative order?
- (Answer) No restrictions are at present imposed by law or administrative order.

* A copy is attached hereto.

(Question) 1. (b) To what kinds of employment do the restrictions apply?
(Answer) Answered above.

(Question) 1. (c) How is the period of restriction ascertained in each individual case?

(Answer) Answered above.

(Question) 2. What provision, if any, is made for the care and maintenance of the mother and child during the period for which the restrictions apply? It is asked that full particulars of such provision may be given, especially as to whether it is given by way of grant out of public funds, or under a system of State insurance, or otherwise; the nature of the provision; the conditions under which it is given, etc.

(It is asked that the text of the laws or orders bearing on the subject may be supplied).

(Answer) Answered above.

II.—Proposals under consideration at present time.

(Question) 3. It is asked that full particulars of any proposals for legislation which have been introduced by the government in the legislature may be furnished, with the text of the Bill or Bills.

(Answer) No proposals for legislation have been introduced in the Legislatures by the federal Government or by any of the provincial Governments.

(B) EMPLOYMENT DURING THE NIGHT.

(b) Employment during the night.

(Question) 4. Has the Berne Convention of 1906 been ratified? If not, is the Government prepared to adhere to it?

(Answer) The Berne Convention 1906 has not been ratified.

The matters involved are such as are presumed to lie within the jurisdiction of the provinces and have not been the subject of discussion between the Dominion Government and the Governments of the respective provinces.

(C) EMPLOYMENT OF WOMEN IN UNHEALTHY PROCESSES.

I. Present Law and Practice.

(Question) 5. What restrictions are at present imposed by law or administrative order on the employment of women.

(a) In industries in which any of the following substances are manufactured or used?

- (i) Lead.
- (ii) Mercury.
- (iii) Phosphorus.
- (iv) Arsenic.

(Answer) (a) In Alberta and Ontario the Factory Act provides that no person shall be allowed to take food into any room where paint, varnish, dye, white lead, arsenic or any other poisonous substance is exposed, and that drinking water in any such room shall be taken directly from taps or suitable closed receptacles. The Act further provides that where a woman is employed in a factory or shop in which there is a contravention of the above provision "such woman shall be deemed to be unlawfully employed and so that her health is likely to be injured."

The factory laws of the other provinces do not contain any specific restrictions on the employment of women in industries in which poisonous substances are used or manufactured.

(Question) 5. What restrictions are at present imposed by law or administrative order on the employment of women.

(b) In any other industries?

(Answer) (b) The factory laws of Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario and Saskatchewan impose a general restriction on the employment of women in unhealthy processes by prohibiting the employment of such workers where their health is likely to be injured. In all the above mentioned provinces, except New Brunswick, if the factory inspector so directs in writing, employers shall not allow women to take meals in any room wherein any manufacturing process is then being carried on.

The employment of women in mines, except in clerical or similar work is prohibited in Alberta, British Columbia, Ontario, Québec and Saskatchewan.

The employment of women in bar rooms is prohibited in Quebec and in the Yukon Territory. In the other provinces temperance legislation prohibiting the sale of liquor in public places has made restrictions on the employment of women in bar rooms unnecessary.

II. OBSERVATIONS.

(Question) - 6. Is it considered that any effective steps could be taken by international action?

(Answer) No view on this point can be at present offered.

Item 4 of the Agenda.

EMPLOYMENT OF CHILDREN.

(A) MINIMUM AGE OF EMPLOYMENT.

1. (a) What is the limit of age fixed by law or administrative order below which employment of young persons is illegal?

(b) To what kinds of employment does the limitation apply?

(c) What exceptions or modifications, if any, are allowed under the laws and orders in force?

2. It is asked that full particulars of any proposals for legislation raising the limit of age which have been introduced by the Government in the legislature may be furnished, together with the text of the Bill or Bills.

3. (a) Would the Government be prepared to adopt fourteen years as the limit for—

(i) Industrial occupations,

(ii) Other occupations?

(b) If not, what age is proposed, and on what grounds?

(B) EMPLOYMENT DURING THE NIGHT.

4. (a) Have the recommendations in the draft Convention *adopted by the Berne Conference of 1913 been carried out?

(b) If not, is the Government prepared to adopt them?

5. Are any modifications in the text of the draft Convention suggested?

(C) EMPLOYMENT IN UNHEALTHY PROCESSES.

1. Present Law and Practice.

6. What restrictions are at present imposed by law or administrative order on the employment of young persons—

(a) In industries in which any of the following substances are manufactured or used—

(i) Lead,

(ii) Mercury,

(iii) Phosphorus,

(iv) Arsenic.

(b) In any other industries.

* A copy is attached hereto.

11. Observations.

7. Is it considered that any effective steps could be taken by international action?

REPLIES TO QUESTIONS CONTAINED IN ITEM 4 OF THE AGENDA.

ITEM 4.—EMPLOYMENT OF CHILDREN.

(A.) MINIMUM AGE OF EMPLOYMENT.

(Question.) 1. (a) What is the limit of age fixed by law or administrative order below which employment of young persons is illegal?

(Answer.) The limit of age fixed by law or administrative order, below which employment is illegal varies, in different kinds of employment in the several provinces of Canada, from twelve to eighteen years.

(Question.) 1. (b) To what kinds of employment does the limitation apply?

(Answer.) The twelve year age limit applies to—

(1) Boys employed underground in any metalliferous mine in British Columbia.

(2) Boys employed above or below ground at coal or metalliferous mines in Nova Scotia, but no boy between fourteen and sixteen years of age shall be employed unless he furnishes a school certificate.

(3) Boys employed above or below ground at any mine in the Yukon Territory, but no boy between twelve and sixteen years of age shall be employed unless he furnishes a school certificate.

(4) Persons employed in any shop in Ontario, but no person under fourteen years of age shall be employed in any shop during school hours unless such child can furnish a certificate issued in accordance with the provisions of the Truancy Act.

(5) Boys engaging in street trades in Alberta, but no license to engage in any such trade shall be issued to any boy between twelve and fourteen years of age unless he presents written authority from his parents to apply for such license.

(6) Boys engaging in street trades, in Manitoba, but no boy between twelve and sixteen years of age shall engage in any such trade, during school hours, without a license issued by the Superintendent of Neglected Children after being furnished with full information respecting such child.

(7) Boys engaging in street trades in Saskatchewan, but no license to engage in any such trade shall be issued to any boy between twelve and fourteen years of age unless he presents written authority from his parents to apply for such license.

(8) Boys engaged in any street trade or occupation in Ontario.

The thirteen year age limit applies to children employed in any mechanical, manufacturing or mercantile establishment in New Brunswick.

The fourteen year age limit applies to:—

(1) Boys employed above ground at any mine in Alberta, but no boy between the ages of fourteen and sixteen years of age shall be employed unless he furnishes a school certificate.

(2) Boys employed in or about the surface workings of any colliery in British Columbia.

(3) Boys employed above ground and girls employed as stenographers, book-keepers, etc., at mines in Ontario.

(4) Boys employed in the workings of any mine in Saskatchewan.

(5) Boys and girls employed in bakeshops and boys employed in factories in British Columbia.

(6) Boys and girls employed in shops and offices, and boys employed in factories in Manitoba.

(7) Boys and girls employed in factories and bake-houses in New Brunswick.

(8) Boys and girls in factories in Nova Scotia.

(9) Boys and girls employed in factories and bakeshops in Ontario.

(10) Boys and girls employed in factories in Quebec, if such children are able to read and write fluently and easily.

(11) Boys and girls employed in factories in Saskatchewan.

(12) Boys employed in breweries, etc., in New Brunswick.

(13) Boys and girls employed as elevator operators in New Brunswick.

The fifteen-year age limit applies to:—

(1) Boys employed in any coal mine in British Columbia.

(2) Boys employed in the underground works of any mine or quarry in Quebec.

(3) Boys and girls employed in factories in any part of Alberta and in shops, offices and office buildings in cities and towns in Alberta, having a population exceeding 5,000.

(4) Girls employed in factories in British Columbia.

(5) Girls employed in factories in Manitoba.

The sixteen-year age limit applies to:—

(1) Boys employed below ground or as drivers of horses working machinery for raising and lowering persons in any mine in Alberta.

(2) Persons in charge of or operating any machinery used solely for moving material in any mine in British Columbia. (No person other than a man of twenty-two years of age shall operate any machinery used for raising or lowering persons.)

(3) Boys employed as drivers of animals working machinery in mines in Quebec. (No boy under twenty years shall be employed in working any other mine machinery.)

(4) Boys and girls who are unable to read and write fluently employed in any industrial establishment or employed by any person carrying on any industry, trade or business or practising a profession, any owner, tenant or manager of a theatre, moving-picture hall, hotel or restaurant, any telegraph company employing messengers, printers or agents who distribute advertisements or hand-bills, or owners of department stores who employ boys or girls as messengers, or carrying on any street trade.

(5) Girls employed in street trades in Ontario.

(6) Girls employed in any brewery, etc., in New Brunswick.

(7) Boys and girls employed in breweries, etc., in Nova Scotia.

(8) Boys and girls employed in Manitoba in any occupation likely to be injurious to life, limbs, health, education or morals.

(9) Boys and girls employed to sing, play, perform for profit, or offer anything for sale in any public place at night, or in any circus or other place of public amusement for which admission is charged, in Ontario.

(10) Boys and girls employed to sing, play, perform for profit, or offer anything for sale in any public place at night, or in any circus or other place of public amusement for which admission is charged, in Saskatchewan.

(11) Boys employed in factories where work is dangerous or unwholesome in British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan, upon proclamation to that effect, by the representative lieutenant governors of the province. In Quebec the attached schedule of dangerous establishments has been issued by the Lieutenant Governor in Council. In the other provinces mentioned no such proclamations have been issued to date.

The seventeen-year age limit applies to:—

(1) Boys employed below ground in any mine in Ontario.

(2) Boys employed as elevator operators in Manitoba.

The eighteen-year age limit applies to:—

(1) Boys in charge of machinery for raising or lowering persons at any mine in Alberta.

(2) Boys in charge of machinery for raising or lowering persons at any metalliferous mine in British Columbia.

(3) Boys in charge of any hoisting engine or apparatus, other than that used for raising and lowering persons, at any mine in Ontario. (No person under twenty years of age shall operate machinery for raising and lowering persons).

(4) Boys in charge of machinery for raising and lowering persons in mines in Saskatchewan.

(5) Boys employed at night in bake-shops in British Columbia.

(6) Persons employed as elevator operators in any factory, shop or office building in Ontario.

(7) Boys employed in bar-rooms in Quebec.

(8) Boys employed in bar-rooms in Yukon Territory.

(9) Persons employed in billiard rooms in Alberta.

(10) Girls employed in factories where the work is dangerous or unwholesome in British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan upon proclamation to that effect by the respective Lieutenant-Governors of the provinces. In Quebec the attached schedule (see pages 74 and 75) of dangerous establishments has been issued by the Lieutenant-Governor in Council. In the other provinces mentioned, no such proclamations have been issued to date.

Every province, except Quebec, and also the Yukon Territory has a law relating to compulsory school attendance for children of certain ages during specified periods of the year and the employment of children to whom the law apply in any occupation during such periods is illegal. The age limit for compulsory school attendance varies in the different provinces. In the Yukon Territory it is twelve years; in British Columbia, Ontario, Prince Edward Island and Saskatchewan, fourteen years; in Alberta, fifteen years; and in New Brunswick and Nova Scotia, sixteen years.

(NOTE.—For prohibition of the employment of girls in mines, street trades, bar-rooms, etc., see below under section C—Employment in Unhealthy Processes).

(Question) 1. (c) What exceptions or modifications, if any, are allowed under the laws and orders in force?

(Answer) The following exceptions or modifications are allowed under the laws and orders enforcing the various age limits:—

An exception to the age limit of fourteen years for boys and fifteen years for girls in factories in British Columbia, is allowed in the case of children employed in the business of canning or curing fish or fruit packing during the several fish runs and fruit seasons.

An exception to the age limit of fourteen years for boys and girls in shops and offices in Manitoba is allowed in the case of boys between the ages of thirteen and fourteen years holding certain certificates specified in the law, employed after school hours or on school holidays.

An exception to the age limit of fourteen years for boys and girls in bake-shops in Manitoba is allowed by permission of the Inspector.

An exception to the age limit of fourteen years for boys and girls in factories and bake-shops in New Brunswick is allowed in special cases authorized by the Inspector.

An exception to the age limit of fourteen years for boys and girls in factories in Nova Scotia is allowed in the case of children employed in gathering or preparing fruits and vegetables for canning or desiccating purposes, during the months of July, August, September and October.

An exception to the age limit of sixteen years for boys and girls employed to sing, play or perform for profit in any circus, theatre, etc., in Ontario and Saskatchewan is allowed in the case of children over ten years of age employed under a permit from the mayor of any municipality.

Exceptions to the various laws relating to compulsory school attendance are allowed in the different provinces under circumstances such as the following: (1) when a child is ill or lives at a long distance from the nearest school or is under efficient instruction at home or elsewhere; (2) where the child has passed satisfactory examinations in a specified grade of public school work; and (3) where the services of a child are required in household duties or for the maintenance of such child or of some person dependent upon him.

(Question) 2. It is asked that full particulars of any proposals for legislation raising the limit of age which have been introduced by the Government in the legislature may be furnished together with the text of the Bill or Bills.

(Answer) Two laws relating to the minimum age of employment were enacted during the last session of the Ontario Legislature but have not yet gone into effect.

The Mining Amendment Act, chapter 12, Statutes of 1919, by section 13, repeals sections 157-171 of the Mining Act of Ontario and substitutes new sections therefor. The new section 157 raises the age limit of boys employed underground in mines from seventeen to eighteen years and for boys employed above ground from fourteen to sixteen years. These provisions are to go into effect on January 1, 1920. The text of section 157 is as follows:

"No male person under the age of sixteen years shall be employed in or about any mine, or under the age of eighteen years below ground in any mine."

The second law, chapter 78, Statutes of 1919, entitled The Adolescent School Attendance Act, forbids the employment of any adolescent between fourteen and six-

teen years of age, during the hours from 8 a.m. to 5 p.m. unless he holds a home permit or an employment certificate as provided for in the act. No adolescent between sixteen and eighteen years of age in a municipality in which part time courses of instruction are maintained shall be employed unless he holds either a school dismissal card or a school registration card. The employment of any adolescent who is under an obligation to attend courses of instruction shall be suspended on any day when his attendance at such courses is required. The time spent by an adolescent in attendance at part time courses of instruction shall be reckoned as a part of the number of hours per day or per week that such adolescent may be lawfully employed. This Act is to go into force on a day to be named by the Lieutenant-Governor by proclamation. The text of this act, in so far as it relates to the employment of adolescents, is next attached.

14. The employment of any adolescent who is under an obligation under this Act to attend part-time courses of instruction shall be suspended on any day when his attendance at such courses is required, not only during the period for which he is required to attend the courses, but also for such additional time as is necessary for him to travel to or from the school where instruction is given.

15. The time spent by an adolescent in attendance at part-time courses of instruction shall be reckoned as a part of the number of hours per day or per week that such adolescent may be lawfully employed.

16. (1) Every person who—

(a) Employs an adolescent who does not hold either (i) a home permit or an employment certificate as defined in section 4 or (ii) a school dismissal card or a school registration card as defined in section 8; or

(b) Employs an adolescent at any time during which his attendance is by this Act required at part-time courses of instruction; or,

(c) Employs such adolescent for such a number of hours as with the number of hours during which the adolescent is required to attend such courses will exceed in any day or week the number of hours during which such adolescent may be lawfully so employed; or,

(d) Being a parent or guardian of an adolescent, has conducted to or connived at the failure on the part of an adolescent to attend part-time courses of instruction as required under this Act, or suffers or permits such adolescent, through want of proper care or control, to violate any of the obligations of this Act, shall incur a penalty not exceeding \$5 for the first offence, and in the case of a second or subsequent offence in relation to the same adolescent or another adolescent, shall incur a penalty not exceeding \$25.

(2) The penalties imposed by this section shall be recoverable under *The Summary Convictions Act*.

3. (1) Every adolescent between fourteen and sixteen years of age shall attend school for the full time during which the schools of the municipality in which he resides are open each year unless excused for the reasons hereinafter mentioned.

(2) The obligation to attend school under this section shall not apply to any adolescent if—

(a) He is unable to attend school by reason of sickness, infirmity, or other physical defect;

(b) He is employed on the authority of a home permit or of an employment certificate as hereinafter provided;

(c) He has passed the matriculation examination of an approved university or has completed, to the satisfaction of the Department of Education, a course of study which may be regarded as the equivalent of the requirements of such examination, or

(d) He is in attendance at some other educational institution approved by the Minister.

4. (1) Where, in the opinion of the school attendance officer, the services of an adolescent between fourteen and sixteen years of age are required in any permitted occupation in or about the home of his parent or guardian, he may be granted by an attendance officer, on the written application of his parent or guardian, a home permit to engage in such services.

(2) Where, in the opinion of the school attendance officer, the services of an adolescent between fourteen and sixteen years of age are required in some permitted gainful occupation for the necessary maintenance of such adolescent or some person dependent upon him, he may be granted by an attendance officer, on the written application of his parent or guardian, an employment certificate to engage in such services.

5. No adolescent between fourteen and sixteen years of age shall be employed by any person during the hours from 8 a.m. to 5 p.m. unless he holds a home permit or an employment certificate, as provided for in section 4 of this Act.

8. No adolescent between sixteen and eighteen years of age in a municipality in which part-time courses of instruction approved by the Minister are maintained shall be employed by any person unless he holds either a school dismissal card or a school registration card to be issued as provided in the regulations.

(Question) 3. (a) Would the Government be prepared to adopt fourteen years as the limit for—

(i) Industrial occupations,

(ii) Other occupations?

(b) If not, what age is proposed, and on what ground?

(Answer) The matters involved are such as are presumed to lie within the jurisdiction of the provinces and have not been the subject of discussion between the Dominion Government and the Governments of the respective provinces.

(B.) EMPLOYMENT DURING THE NIGHT.

(Question) 4. (a) Have the recommendations in the draft Convention adopted by the Berne Conference of 1913 been carried out?

(b) If not is the Government prepared to adopt them?

(Answer) The matters involved are such as are presumed to lie within the jurisdiction of the provinces and have not been the subject of discussion between the Dominion Government and the Governments of the respective provinces.

(Question) 5. Are any modifications in the text of the draft Convention suggested?

(Answer) No view on this point can be at present offered.

(C) EMPLOYMENT IN UNHEALTHY PROCESSES.

I. *Present Law and Practice.*

(Question) 6. What restrictions are at present imposed by law or administrative order on the employment of young persons—

(a) In industries in which any of the following substances are manufactured or used:—

(i) Lead.

(ii) Mercury.

(iii) Phosphorus.

(iv) Arsenic.

(Answer) In Alberta and Ontario the Factory Act provides that no person shall be allowed to take food into any room where paint, varnish, dye, white lead, arsenic or any other poisonous substance is exposed, and that drinking water in any such room shall be taken directly from taps or suitable closed receptacles. The Alberta Act further provides that where a girl over the age of fifteen years of age is employed in a factory or shop in which there is a contravention of the above provision such young girl shall be deemed to be unlawfully employed and "so that her health is likely to be injured", and the Ontario law contains a similar provision applicable to girls between fourteen and eighteen years of age and boys between the age of fourteen and sixteen years.

In Quebec, by Order in Council issued under authority of the Industrial Establishments Act, the employment of boys under sixteen and girls under eighteen years of age is prohibited in industries in which lead, mercury, phosphorus and arsenic are manufactured or used.

(Question) 6. (b) What restrictions are at present imposed by law or administrative order on the employment of young persons—

In other industries?

(Answer) In Quebec the Order in Council referred to above prohibits the employment of boys under sixteen years and girls under eighteen years of age in a number of other establishments classified as dangerous or unhealthy which are enumerated in the attached schedule. (See pages 74 and 75).

In British Columbia, Manitoba, New Brunswick, Nova Scotia and Ontario, as well as in Quebec, the factory laws authorize the Lieutenant Governor in Council to prohibit by proclamation the employment of boys under sixteen and girls under eighteen in factories where the work is dangerous or unwholesome. Quebec is the only province, however, in which any such proclamation has been issued to date.

In Alberta the Factory Act contains a general restriction on the employment of young persons in unhealthy processes by prohibiting the employment of any person so that his or her health is likely to be permanently injured. In British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario and Saskatchewan the factory laws contain similar provisions applicable to young girls. In all the last mentioned provinces, except New Brunswick, if the factory inspector so directs in writing, employers shall not allow young girls to take meals in any room wherein any manufacturing process is then being carried on. In Alberta a similar provision applies to young persons of either sex.

The employment of girls in mines, except in clerical or similar work, is prohibited in Alberta, British Columbia, Ontario and Saskatchewan.

The employment of boys in mines is restricted in the different provinces as follows:

In Alberta, no boy under fourteen years of age shall be employed above ground and no boy under sixteen years of age shall be employed below ground at any mine.

In British Columbia, no boy under fourteen shall be employed in or about the surface workings of any colliery and no boy under fifteen shall be employed in any coal mine. No boy under twelve years shall be employed under ground in any metalliferous mine.

In Nova Scotia, no boy under twelve shall be employed either above ground or below ground in any coal or metalliferous mine.

In Ontario, no boy under fourteen shall be employed above ground and no boy under seventeen shall be employed below ground at any mine.

In Quebec, no boy under fifteen shall be employed under ground in any mine or quarry.

In Saskatchewan, no boy under fourteen shall be employed in the workings of a mine.

In Yukon Territory, no boy under twelve shall be employed at any time.

The employment of girls of any age or of boys under eighteen years of age in bar-rooms is prohibited in Quebec and the Yukon Territory. The employment of boys under fourteen and girls under sixteen in any brewery, shop, saloon, etc., where intoxicating liquors are bottled or sold is prohibited in New Brunswick. A similar prohibition in Nova Scotia applies to both boys and girls under sixteen. In the other provinces temperance legislation prohibiting the sale of liquor in public places has made restrictions on the employment of young persons in bar-rooms unnecessary.

The employment of girls in street trades is prohibited in Alberta, Manitoba and Saskatchewan.

In Nova Scotia, no girl under sixteen years of age shall engage in any street trade during school hours.

In Ontario, no girl under sixteen years of age shall engage in any street trade or occupation.

In Quebec, no girl under sixteen who is not able to read and write fluently and easily shall engage in any street trade, and such occupations shall not be carried on after 8 p.m.

The employment of boys in street trades is restricted in the different provinces as follows:

In Alberta, boys engaged in street trades shall be at least twelve years of age, shall be licensed, and shall not engage in their occupations after 8 p.m. from December to February or after 9 p.m. throughout the rest of the year, or during school hours.

In Manitoba, boys engaged in street trades shall be at least twelve years of age, if under sixteen shall not engage in such occupation during school hours without a license and badge, nor after 9 p.m.

In Nova Scotia, no boy under sixteen years of age shall engage in any street trade during school hours.

In Ontario, no boy under ten years of age shall be permitted to engage in any street trade or occupation.

In Quebec, no boy under sixteen who is not able to read and write fluently and easily shall engage in any street trade, and such occupations shall not be carried on after 8 p.m.

In Saskatchewan, boys engaged in street trades shall be at least twelve years, shall be licensed and shall not engage in their occupations after 8 p.m. from December to February or after 9 p.m. throughout the rest of the year, or during school hours.

The employment of children in any public place at night or in any circus, theatre, or other place of public amusement is restricted as follows in Ontario, Quebec and Saskatchewan:

In Ontario, no boy or girl under sixteen shall be employed to sing, play or perform for profit or offer anything for sale: Provided that where proper provision is made for the health and kind treatment of any child over ten years of age, the mayor of a municipality may grant a license permitting the employment of such child in any entertainment or series of entertainments during such hours and under such conditions and restrictions as he may think fit.

In Quebec no child under sixteen years of age shall be employed by any owner, tenant or manager of a theatre or moving-picture hall.

In Saskatchewan, no boy or girl under sixteen shall be employed to sing, play or perform for profit or offer anything for sale: Provided that where proper provision is made for the health and kind treatment of any child over ten years of age, the mayor or overseer of a municipality may grant a license permitting the employment of such child in any entertainment or series of entertainments during such hours between 10 p.m. and 6 a.m. not to exceed seven hours in any twenty-four and subject to such conditions and restrictions as he may think fit.

The employment of any boy or girl under sixteen in any occupation likely to be injurious to his health, life, limbs, education or morals is prohibited in Manitoba.

II. Observations.

(Question) 7. Is it considered that any effective steps could be taken by international action?

(Answer) No view on this point can be at present offered.

SCHEDULE OF DANGEROUS ESTABLISHMENTS.

Abattoirs.. . . .	Danger of accidents.
Acids, muriatic.. . . .	" "
" nitric.. . . .	Deleterious fumes.
" sulphuric.. . . .	Danger of accidents.
" oxalic.. . . .	Danger of deleterious fumes.
Asphalt (preparation of).. . . .	Odour, injurious dusts.

SCHEDULE OF DANGEROUS ESTABLISHMENTS.—*Concluded.*

Arsenic (white)	Dangerous dusts.
Baking powder (boxing of)	Injurious dusts.
Bakeries (rolling of dough)	Danger of wounds.
Biscuits (rolling of dough)	" "
Benzine (storage of and manipulation)	Danger of fire.
Beating of carpets on a large scale	Injurious dusts.
Beating and cleaning of wools	" "
Cartridges (working at loading machines)	Danger of explosion.
Cutlery (grinding and turning of stones)	Injurious dusts.
Caps and detonators	Danger of explosion.
Canning works (soldering of boxes)	Deleterious gases.
Can manufacturing (soldering of boxes)	" "
Cement (crushing and barrelling of)	Injurious dusts.
Crushing of lime, plaster and stone	" "
Cleaning of iron, brass or zinc with acids	Injurious emanations.
Crystal (dry polishing of)	Dangerous dusts.
Confectionery (machines for rolling candy)	Danger of accidents.
Dry polishing of iron, brass or horn	Injurious dusts.
Drugs (mechanical pounding of)	" "
Dynamite (making or handling)	Danger of explosion.
Dynamos (supervision of)	Danger of accidents.
Felt (tarring of)	Odour and injurious smoke.
Flesh and refuse from abattoirs	Injurious emanations.
Fulminate of mercury	Danger of explosion.
Fertilizer (making or storing of)	Deleterious emanations.
Flaying of horses and other animals	" "
Gas for public use	Danger of explosion.
Glue	Injurious odours.
Hoists, elevators (running of)	Danger of accidents.
Iron (galvanizing of)	Deleterious vapours.
Laundries (ironing machines)	Danger of accidents.
Matches (mixing and dipping departments)	Special diseases caused by emanations.
Mirrors (plating of)	Injurious emanations.
Marble (sawing and polishing of)	Injurious dusts.
Nails (grinding tools and turning stones)	" "
Oilcloth	Odour, danger of fire.
Oils (storing and making of)	" "
Paris green (boxing of)	Injurious dusts.
Rubber works (varnishing department)	Deleterious vapours.
Shoe factories (polishing, sand papering on machines)	Dangerous dusts.
Sand papering wood by machinery	" "
Smelting and rolling of iron, brass, lead, zinc	Injurious smoke, danger of accidents.
Skins (dyeing of)	Bad odour, emanations.
Stamping of sheet metal (working the presses)	Danger of accidents.
Oxide of iron (handling and barrelling)	Injurious dusts.
Paint (boxing and canning of)	Deleterious emanations.
Powder (making and manipulating)	Danger of explosion.
Skins and leather (preparation and gloss- ing of)	Injurious dusts, danger of accidents.
Rags (sorting and manipulating of)	Injurious dusts.
Rags, cutting and grinding (garnetting of)	" "
Tar (dipping of iron pipes and wooden blocks)	Injurious smoke.
Tinning of sheet-iron utensils	Deleterious fumes.
Tinning of wire	" "
Tallow (boiling)	Danger of fire.
Varnishing metal dried in ovens	Deleterious and injurious smoke.
White lead	Special diseases caused by emanations.
Wood (working on edge tool machines)	Danger of accidents.
Wire (making and drawing)	" "

According to the provisions of the article 3833 R.S.P.Q., 1909, the age of the employees of the establishments enumerated in the above list shall not be under sixteen years for boys, and eighteen years for girls or women.

Item 5 of the Agenda.

**EXTENSION AND APPLICATION OF THE INTERNATIONAL CONVENTION
ADOPTED AT BERNE IN 1906 FOR THE PROHIBITION OF THE USE OF
WHITE PHOSPHORUS IN THE MANUFACTURE OF MATCHES.**

1. Are the manufacture, importation and sale of white phosphorus matches prohibited, in accordance with the provisions of the International Convention of 1906?
2. If not, is the Government prepared to adhere to that Convention?

REPLIES TO QUESTIONS CONTAINED IN ITEM 5 OF THE AGENDA.

Item 5.—Extension and application of the International Convention adopted at Berne in 1906 for the Prohibition of the use of White Phosphorus in the manufacture of matches.

(Question) 1. Are the manufacture, importation and sale of white phosphorus matches prohibited, in accordance with the provisions of the International Convention of 1906?

(Answer) The manufacture, importation and sale of matches made with white phosphorus is prohibited in Canada by act of parliament (copies of two acts of parliament relating to this matter are hereto attached). The Swiss Government was notified on September 20, 1914, of the adhesion of His Majesty's Government in respect of the Dominion of Canada to the Berne Convention of 1906 for the prohibition of the use of white phosphorus in the manufacture of matches.

(Question) 2. If not, is the Government prepared to adhere to that Convention?

(Answer) Answered above.

THE WHITE PHOSPHORUS MATCHES ACT.

An Act to prohibit the Manufacture, Importation and Sale of Matches made with White Phosphorus.

[Assented to 27th May, 1914.]

WHEREAS the use of white phosphorus in the manufacture of matches constitutes a menace to the health of match factory employees and is also attended with danger to the community at large: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

I. This Act may be cited as *The White Phosphorus Matches Act*.

2. In this Act, unless the context otherwise requires,—

- (a) "Minister" means Minister of Labour;
- (b) "white phosphorus" means the substance usually known as white or yellow phosphorus;
- (c) "inspector" means any person authorized by regulation or appointed by the Minister to perform any duties under this Act or under any regulation made thereunder;

(d) "regulation" means and includes any order or regulation made by the Governor in Council under the authority of this Act.

3. It shall not be lawful for any person to use white phosphorus in the manufacture of matches.

2. The owner or operator of any factory in which the manufacture of matches is carried on shall allow any officer of the Department of Labour, authorized by the Minister, at any time to take therefrom for analysis sufficient samples of any material in use or mixed for use: Provided that the owner or operator may, at any time, when the sample is taken, and on providing the necessary appliances, require the said officer to divide the sample so taken into two parts and to mark, seal and deliver to him one part.

4. It shall not be lawful to import into Canada matches made with white phosphorus, and matches so made shall be included amongst the goods enumerated and described in Schedule C to *The Customs Tariff, 1907*.

5. It shall not be lawful for any person to use, sell, or to offer or expose for sale, or to have in his possession for the purposes of sale, any matches made with white phosphorus.

6. Any person who is manufacturing or proposing to manufacture matches by way of trade may present a petition to the Commissioner of Patents, praying for the grant of a compulsory license to use any process patented at the time of the passing of this Act for the manufacture of matches without white phosphorus.

2. The Commissioner of Patents, after considering any representations that may be made by the patentee, or his legal representatives, or any person claiming an interest in the patent, may order the patentee or other interested party to grant a license to such petitioner on such terms as he may consider just: Provided that the Commissioner may, if he thinks fit, and shall on the request of any one of the parties to the proceedings, call in the aid of an assessor, specially qualified, and hear the case wholly or partially with his assistance.

3. An order of the Commissioner of Patents directing the grant of license under this section shall, without prejudice to any other method of enforcement, operate as if it were embodied in a deed granting a license and made between the petitioner and patentee and such other persons claiming an interest in the patent as aforesaid.

7. The Governor in Council may make such orders and regulations, as to him seem necessary for the carrying out of the provisions of this Act.

2. Such orders and regulations shall have the same force and effect as if embodied in this Act.

3. Every such order or regulation shall be published in *The Canada Gazette*.

8. The certificate of an inspector shall, for the purposes of this Act, be *prima facie* evidence in all courts of justice and elsewhere of the matter certified.

9. Any inspector may, at any time, for the purpose of carrying into effect any of the provisions of this Act or any regulation made thereunder, enter any place or premises, or any steamship, vessel or boat, or any carriage, car, truck or other vehicle used or which the inspector or other person suspects is being used for the storage or carriage of matches made with white phosphorus, and may also open any package or store containing matches made with white phosphorus or which he suspects to contain such matches.

10. Every person who refuses to admit, or who obstructs or impedes an inspector, and every person who aids and assists him therein, shall be liable on summary conviction to a penalty not exceeding five hundred dollars and costs.

11. Every person who violates any provision of this Act, or of any regulation made thereunder, in respect of which no penalty is hereinbefore provided, shall be liable on summary conviction to a penalty not exceeding five hundred dollars and costs.

12. Every offence against this Act, or against any regulation, shall, for the purposes of proceedings under this Act, or of any such order or regulation, be deemed to have been committed, and every cause of complaint under this Act, or any such regulation, shall be deemed to have arisen either in the place in which it actually was committed or arose, or in any place in which the person charged or complained against happens to be.

13. This Act shall come into force on the first day of January, one thousand nine hundred and fifteen, except section 5 thereof which shall not come into force until the first day of January, one thousand nine hundred and sixteen.

AN ACT TO AMEND THE WHITE PHOSPHORUS MATCHES ACT.

His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section thirteen of The White Phosphorus Matches Act, chapter twelve of the statutes of 1914, is repealed and the following is substituted therefor:—

“13. This Act shall come into force on the first day of January, one thousand nine hundred and fifteen, except section five thereof, which shall not come into force until the first day of July, one thousand nine hundred and sixteen; Provided, however, that the provision in the said section forbidding the use of any matches made with white phosphorus shall not come into force until the first day of January, one thousand nine hundred and seventeen.”

2. The provisions of this Act shall be held to have come into force on, from and after the first day of January, one thousand nine hundred and sixteen.

PART IV

Text of International Conventions :

A. On the subject of the Prohibition of the use of White (yellow Phosphorus in the Manufacture of matches, concluded at Berne in 1906.

B. Respecting the Prohibition of Night Work for Women in Industrial Employment, concluded at Berne, 1906.

C. Translation of the Berne Draft Convention in 1913, containing Proposals for an International Convention on the Prohibition of Night Work for Young Persons Employed in Industry.

PART IV

TEXT OF INTERNATIONAL CONVENTIONS:

A. On the subject of the Prohibition of the use of White (yellow) Phosphorus in the Manufacture of matches, concluded at Berne in 1906.

B. Respecting the Prohibition of Night Work for Women in Industrial Employment, concluded at Berne, 1906.

C. Translation of the Berne Draft Convention in 1913, containing proposals for an International Convention on the Prohibition of Night Work for Young Persons Employed in Industry.

A.—INTERNATIONAL CONVENTION ON THE SUBJECT OF THE PROHIBITION OF THE USE OF WHITE (YELLOW) PHOSPHORUS IN THE MANUFACTURE OF MATCHES, CONCLUDED AT BERNE IN 1906.

ARTICLE 1.

The high contracting parties bind themselves to prohibit in their respective territories the manufacture, importation and sale of matches which contain white (yellow) phosphorus.

ARTICLE 2.

It is incumbent upon each of the contracting states to take the administrative measures necessary to ensure the strict execution of the terms of the present Convention within their respective territories.

Each government shall communicate to the others through the diplomatic channel the laws and regulations which exist or shall hereafter come into force in their country with regard to the subject matter of the present Convention, as well as the reports on the manner in which the said laws and regulations are applied.

ARTICLE 3.

The present Convention shall only apply to a colony, possession or protectorate when a notice to this effect shall have been given on its behalf by the Government of the mother country to the Swiss Federal Council.

ARTICLE 4.

The present Convention shall be ratified, and the ratifications deposited with the Swiss Federal Council by the 31st December, 1908, at the latest.

A record of the deposit shall be drawn up, of which one certified copy shall be transmitted to each of the contracting states through the diplomatic channel.

The present Convention shall come into force three years after the date on which the record of the deposit is closed.

ARTICLE 5.

The states non-signatories to the present Convention shall be allowed to declare their adhesion by an act addressed to the Swiss Federal Council, who will bring it to the notice of each of the other contracting states.

The time limit laid down in Article 4 for the coming into force of the present Convention is extended in the case of the non-signatory states, as well as of their colonies, possessions, or protectorates, to five years, counting from the date of the notification of their adhesion.

ARTICLE 6.

It shall not be possible for the signatory states, or the states, colonies, possessions or protectorates who may subsequently adhere, to denounce the present Convention before the expiration of five years from the date on which the record of the deposit of ratifications is closed.

Thenceforward the Convention may be denounced from year to year.

The denunciation will only take effect after the lapse of one year from the time when written notice has been given to the Swiss Federal Council by the Government concerned, or, in the case of a colony, possession or protectorate, by the Government of the mother country; the Federal Council shall communicate the denunciation immediately to the governments of each of the other contracting states.

The denunciation shall only be operative as regards the state, colony, possession, or protectorate on whose behalf it has been notified.

In witness whereof the plenipotentiaries have signed the present Convention.

Done at Berne this 26th day of September, 1906, in a single copy which shall be kept in the archives of the Swiss Federation, and one copy of which duly certified shall be delivered to each of the contracting powers through the diplomatic channel.

B.—INTERNATIONAL CONVENTION RESPECTING THE PROHIBITION OF NIGHT WORK FOR WOMEN IN INDUSTRIAL EMPLOYMENT, CONCLUDED AT BERNE IN 1906.

ARTICLE 1.

Night work in industrial employment shall be prohibited for all women without distinction of age, with the exceptions hereinafter provided for.

The present Convention applies to all industrial undertakings in which more than ten men or women are employed; it does not in any case apply to undertakings in which only the members of the family are employed.

It is incumbent upon each contracting State to define the term "industrial undertakings." The definition shall in every case include mines and quarries, and also industries in which articles are manufactured and materials transformed: as regards the latter the laws of each individual country shall define the line of division which separates industry from agriculture and commerce.

ARTICLE 2.

The night rest provided for in the preceding article shall be a period of at least eleven consecutive hours; within these eleven hours shall be comprised the interval between 10 in the evening and 5 in the morning.

In those States, however, where the night work of adult women employed in industrial occupations is not as yet regulated, the period of uninterrupted rest may provisionally, and for a maximum period of three years, be limited to ten hours.

ARTICLE 3.

The prohibition of night work may be suspended—

1. In cases of *force majeure*, when in any undertaking there occurs an interruption of work which it was impossible to foresee and which is not of a recurring character.
2. In cases where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration, when such night work is necessary to preserve the said materials from certain loss.

ARTICLE 4.

In those industries which are influenced by the seasons, and in all undertakings in the case of exceptional circumstances demand it, the period of the uninterrupted night rest may be reduced to ten hours on sixty days of the year.

ARTICLE 5.

It is incumbent upon each of the contracting States to take the administrative measures necessary to ensure the strict execution of the terms of the present Convention within their respective territories.

Each Government shall communicate to the others through the diplomatic channel the laws and regulations which exist or shall hereafter come into force in their country with regard to the subject matter of the present Convention as well as the periodical reports on the manner in which the said laws and regulations are applied.

ARTICLE 6.

The present Convention shall only apply to a colony, possession, or protectorate when a notice to this effect shall have been given on its behalf by the Government of the mother country, to the Swiss Federal Council.

Such Government when notifying the adhesion of a colony, possession, or protectorate shall have the power to declare that the Convention shall not apply to such categories of native labour as it would be impossible to supervise.

ARTICLE 7.

In extra-European States, as well as in colonies, possessions, or protectorates, when the climate or the condition of the native population shall require it, the period of the uninterrupted night rest may be shorter than the minima laid down in the present Convention, provided that compensatory rests are accorded during the day.

ARTICLE 8.

The present Convention shall be ratified and the ratifications deposited with the Swiss Federal Council by the 31st December, 1908, at the latest.

A record of this deposit shall be drawn up of which one certified copy shall be transmitted to each of the contracting States through the diplomatic channel.

The present Convention shall come into force two years after the date on which the record of deposit is closed.

The time limit for the coming into operation of the present Convention is extended from two to ten years in the case of—

1. Manufactories of raw sugar from beet.
2. Wool combing and weaving.
3. Open mining operations, when climatic conditions stop operations for at least four months every year.

ARTICLE 9.

The States non-signatories to the present Convention shall be allowed to declare their adhesion to it by an act addressed to the Swiss Federal Council, who will bring it to the notice of each of the other contracting States.

ARTICLE 10.

The time limits laid down in Article 8 for the coming into force of the present Convention shall be calculated in the case of non-signatory States as well as of colonies, possessions or protectorates, from the date of their adhesion.

ARTICLE 11.

It shall not be possible for the signatory States, or the States, colonies, possessions or protectorates who may subsequently adhere, to denounce the present Convention before the expiration of twelve years from the date on which the record of the deposit of ratifications is closed.

Thenceforward the Convention may be denounced from year to year.

The denunciation will only take effect after the lapse of one year from the time when written notice has been given to the Swiss Federal Council by the Government concerned, or, in the case of a colony, possession, or protectorate, by the Government of the mother country. The Federal Council shall communicate the denunciation immediately to the Governments of each of the other contracting States.

The denunciation shall only be operative as regards the State, colony, possession, or protectorate on whose behalf it has been notified.

In witness whereof the plenipotentiaries have signed the present Convention.

Done at Berne this 26th day of September, 1906, in a single copy, which shall be kept in the archives of the Swiss Confederation, and one copy of which, duly certified, shall be delivered to each of the contracting States through the diplomatic channel.

C.—TRANSLATION OF THE BERNE DRAFT CONVENTION OF 1913.

PROPOSALS FOR AN INTERNATIONAL CONVENTION ON THE PROHIBITION OF NIGHT WORK FOR YOUNG PERSONS EMPLOYED IN INDUSTRY.

ARTICLE 1.

Young persons may not be employed at night on industrial work until they have completed the age of 16 years.

This prohibition shall be absolute in all cases until they have completed 14 years of age.

The present Convention shall apply to all industrial undertakings where more than ten persons are employed. It shall not apply in any case to undertakings where only members of the family are employed.

The definition of what is to be understood by industrial undertakings shall rest with each of the contracting States. The term shall in any case include mines and quarries as well as all industries concerned with the manufacture and working up of material. The national legislation of each State shall define, in regard to the latter, the limits between industry on the one hand and agriculture and commerce on the other hand.

ARTICLE 2.

The period of rest during the night provided for in Article 1 shall comprise at least eleven consecutive hours. In all the contracting States these eleven hours should include the period between 10 p.m. and 5 a.m.

In coal and lignite mines an exception may be made in regard to the period of rest provided in the previous paragraph, when the interval between the two periods of work usually amounts to fifteen hours, but in no case in which it amounts to less than thirteen hours.

In States where night work is prohibited by the national legislation for all workers employed in baking, the period from 9 p.m. to 4 a.m. may be substituted in that industry for the period from 10 p.m. to 5 a.m. provided in paragraph 1.

ARTICLE 3.

The prohibition of night work for young persons of more than 14 years of age may be suspended—

- (a) If the interest of the State, or some other interest of a public character, requires it;
- (b) In case of emergency when an interruption which could not be foreseen, and which is not of a periodical character, occurs in the working of the undertaking.

ARTICLE 4.

The provisions of the present convention are applicable to girls of less than 16 years of age whenever these provisions involve greater restrictions on the period of employment than those provided by the convention of the 26th day of September, 1906.

ARTICLE 5.

In States outside Europe, as well as in colonies, possessions, or protectorates, the period of uninterrupted rest may be less than the minimum of eleven hours if the climate and conditions of the native population require it, provided that a compensatory period of rest is allowed during the day.

ARTICLE 6.

The present Convention shall take effect two years after the final deposit of the ratifications.

The period within which the prohibition of night work in industry for young persons above the age of 14 must be put in force shall be extended to ten years—

- (a) In the case of workers engaged on work in front of furnaces in glass works (melting, annealing, and refining);
- (b) In rolling mills and hammer works engaged in the continuous production of iron and steel for workers employed on work directly connected with the furnaces,

provided that in both cases young persons shall only be employed at night on work which is of a character calculated to promote their industrial training, and which does not involve any particular danger for their health or safety.

Done at Berne on the 25th day of September, 1913, in a single copy, which shall be kept in the Archives of the Swiss Confederation and a copy of which, duly certified, shall be delivered to each of the contracting States through the diplomatic channel.

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